

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

November 17, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on November 17, 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. A discussion of the trash transfer station and of the Gaming Impact grant awards were added to the agenda.

COVID-19 Update.

Public Health Coordinator Bonnie Albrecht:

- The County is now at the Level Yellow on the State's COVID-19 Dial, with 64 confirmed cases.
- Cases are occurring across the entire county at a 9.5% positivity rate.
- Casinos are operating at a reduced limit and table games are closed.
- Coordinator Albrecht is working with the casinos to keep them from having to shut down. She has recommended they do health screenings before each work shift and after employees' meal breaks or throughout the day, and to be more specific about the information they require.
- The spread of the virus is communitywide now, so all need to wear masks, distance from other, attend no social gatherings (which are limited to 10 people from two households), and avoid travel if necessary.
- Coordinator Albrecht is urging businesses to send employees home, even if they exhibit only mild symptoms.

County Attorney Benning shared onscreen a one-page summary of Public Health Order (PHO) 20-14, Amendment 1. Commissioner Engels suggested casinos do the same thing as the County, meaning if a visitor does not have on a mask, they are not allowed inside the facility or on the property. He referred to recent problems at the County's trash transfer station, where some patrons refuse to wear a mask, even though the attendant is only three feet from them to collect a fee or punch their card. Infrastructure and Development Services Deputy Director Dave Rich said there are people who refuse to follow the rules and some become verbally abusive to staff. He suggested ways to try to accommodate them, but Commissioner Engels said if they won't wear a mask, they should take their trash elsewhere. The concern of those patrons who have a medical condition was brought up by Commissioner Watson, who asked if there were other ways to accommodate them, but also to make it clear the County is trying to protect its employees and the public. Commissioner Isenhart agreed signage could help and said the trash station attendees need a way to contact the Sheriff's Office if a patron becomes menacing.

Emergency Manager Nathan Whittington:

- Manager Whittington met with the Colorado Department of Public Health and Environment's liaison for local Emergency Management Offices and will soon firm up arrangements to fit into the State's plan.
- There has been a spike in the number of first responders who have become ill.

Todd Farrow, Executive Director of Golden Gate Canyon State Park, said they usually see approximately 1 million people per year, but that will likely increase to 1.5 million, as the Stay at Home order takes effect.

Recognition of Three Exemplary Employees. Commissioner Watson talked about history of the County's exemplary employee award, saying it is usually prompted by someone in the public sector who calls out a specific employee for excellent service. Recently the Board has received commendation on three employees: Public Health Coordinator Bonnie Albrecht, Emergency Manager Nathan Whittington and Infrastructure and Development Services Deputy Director Dave Rich.

- Emergency Manager Nathan Whittington—Commissioner Watson said he has helped with fires evacuees from other counties, plus their pets and their livestock. During the time that the Red Cross managed a program to house evacuees at the Ameristar and the Isle casinos, they said they had never seen such a good plan in advance of an emergency. The Board thanked him for excellent leadership during this crisis, and helping our neighbors in other counties. Emergency Manager Whittington thanked the Board.
- Public Health Coordinator Bonnie Albrecht—Commissioner Engels said she has been an outstanding coordinator before and during the pandemic and is highly respected. The Board hears many positive comments on her work and the casinos are appreciative of her help. If the award were given monthly, this would be her ninth, but it doesn't begin to express the Board's appreciation.
- Infrastructure and Development Services Deputy Director Dave Rich—Commissioner Isenhart said he is a saint, operates all of the equipment and has done so much for the County during a difficult time. She read aloud an email from a resident praising Mr. Rich. The Board thanked him for being a great employee.

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

Public Hearing— BOA #20-02, Variance Modification. Chair Watson opened the public hearing for a variance modification request for Thomas Lane, Lot 11, Block 7, Colorado Sierra Alpha #2, 147 Athena Road, a 0.676-acre parcel. County Planner Tami Archer presented the applicant's request to modify a property line set back variance that had been granted by the Board of Adjustment on August 25, 2020. The original approval allowed for the construction of an addition to the house placing it 22.5 feet from the property line, but the survey that was used was incorrect. A new correct survey would now place the structure 17 feet from the property line. The only affected adjacent property owner has no objection to the reduced set back, and the applicant has paid a new \$1,000.00 application fee. Staff recommended approval based on the utility location hardship.

Chair Watson opened the hearing to public comment. There being none, Chair Watson closed the hearing to public comment. Commissioner Engels moved to approve, BOA #20-02 for Thomas Lane, Lot 11, Block 7, Colorado Sierra Alpha #2, 147 Athena Road. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0. Chair Watson closed the public hearing. *(The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder's Office.)*

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

Request for Local Landmark Designation—Zephyr View Cabin. County Planner Tami Archer presented an application for county designation as a local landmark for the Zephyr View Cabin, as submitted by Gary Jackson and Nancelia Regina Belton. They are descendants of the family that has owned the cabin since it was built, and of builder William Pitts. Built circa 1926 to 1928, the cabin qualifies for this designation under Section 3 of Gilpin County Ordinance #19-01, "An Ordinance Regarding Gilpin County Historic Preservation," as reviewed by the County's Historic Preservation Commission. HPC recommended approval of the request for local landmark designation, supported by their consultant's extensive research and report on this property.

Judge Gary Jackson participated in today's virtual meeting as his family's representative, and thanked the Board for the opportunity to join in the discussion. He said Deon Wolfenbarger's report on his family and on the cabin was wonderful and was useful to his family, to the Gilpin County community and to the nation. Commissioner Isenhart thanked Judge Jackson and said the Zephyr View Cabin and all of the Lincoln Hills area was an important part of Gilpin County's history and its black history. Commissioner Engels said he was delighted with the report on the family and its detailed history.

Commissioner Isenhart moved to designate the Zephyr View Cabin at 31 Pitts Place in Lincoln Hills as a local landmark. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0. The Board thanked Judge Jackson, County Planner Tami Archer and the Gilpin County Historic Preservation Commission.

Gaming Impact Grant Awards. Commissioner Engels stated that this year the Colorado Department of Local Affairs (DOLA) had cut the Gaming Impact grant awards by 67% and recommended that each recipient jurisdiction decide how to distribute the 33% of the requested amount to each organization in its funding group. Last year, Gilpin County received \$1.7 million for some of its essential law enforcement offices, the First Judicial District and three non-profit organizations serving County residents. Finance Director Clorinda Smith said the County's funding for 2021 would be \$577,026.00 and the Board would need to determine how to allocate those funds. Discussion followed on what would be the fairest method for calculating the allocations. Commissioner Isenhart moved to use column O in Finance Director Smith's presentation at 33.23% for the distribution. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0. Finance Director Clorinda Smith will advise the recipients of the Board's plan.

Resolution #20-24—Approving Supplemental Appropriations to the 2020 Budget. Finance Director Clorinda Smith gave a summary of her recommendations for supplemental appropriations to the County's 2020 budget as follows:

- the sum of \$500,000 be supplemented as additional expenses to the Human Services Fund for food assistance; \$500,000 from food assistance revenue
- the sum of \$71,710 be supplemented as additional expenses to the Public Health Fund for contract labor, and grant expenses; \$71,710 from grant revenue
- the sum of \$36,653 be supplemented as additional expenses to the Conservation Trust Fund for capital outlay from the fund balance.

Commissioner Engels moved to adopt Resolution #20-24, "Approving Supplemental Appropriations to the 2020 Budget." Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Resolution #20-23—Fund and Fund Balance Reporting Policies. Finance Director Clorinda Smith spoke about changes to the Government Accounting Standards Board's rules on reporting fund balances and changes to some funds for 2021, with the passing of mil levies for the Library and Parks and Recreation. The balance of all of the

County's funds are reported at the end of the year through the annual audit. The Board agreed they would prefer to wait for additional information and discuss the proposed resolution at their December 8, 2020, meeting.

County Communications on Local COVID-19 Status and Restrictions. Commissioner Isenhart stated that some questions from staff at *The Mountain-Ear* have prompted a conversation on how to communicate the frequent changes on the local status of COVID-19 and the restrictions for residents and businesses. Commissioner Engels said Public Health Coordinator Bonnie Albrecht had issued a press release and hopes this type of information will be shared on a weekly basis. Emergency Manager Nathan Whittington said he and Coordinator Albrecht had spoken with staff at the Colorado Department of Public Health and Environment (CDPHE) who recommended they consider opening the County's Joint Information Center, to be able to issue consistent, complete information. CDPHE can help set up that procedure. County Manager Montoya said he and staff plan to issue complete status reports to the press and businesses via the County website. Discussion followed regarding the web site and tabs used to access this information. Business Analyst Gabrielle Chisholm shared onscreen the County's homepage and showed how all of the COVID-19 and emergency information could be accessed. Commissioner Watson asked that it all be combined onto one tab, with COVID-19 taking precedence over wildland fires. Business Analyst Chisholm said she would complete that task and would add a link to the CDPHE site as well.

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

Opioid Settlement Status. Additional details were added to the status report given on November 3, with County Attorney Benning adding that if Gilpin County chose to join with Jefferson County for distribution of the settlement funds, and intergovernmental agreement (IGA) would need to be executed. Commissioner Isenhart moved to join with Jefferson County for distribution of the opioid settlement funds. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0. County Attorney Benning will present an IGA at a future Board meeting.

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

Opioid Settlement Funds. County Manager Montoya will talk with Public Health Coordinator Bonnie Albrecht to determine the level of opioid addiction impact Gilpin County might be experiencing, as it relates to the settlement funds noted above.

New Human Services / Public Health Building. The building completion date for the new Human Services / Public Health building on Highway 119 is December 29, 2020. Work on the second floor is mostly done, with wall treatments on the first floor to begin soon. The project remains within its budget and is scheduled for a final inspection in January. Human Services Director Laura Solomon and IT support provider Teryx, Inc., are working on relocating the computer servers for the transition. There are no major issues to report.

Business Analyst Tirado's Resignation. Tomorrow will be Business Analyst Jaime Tirado's last day with Gilpin County, as he has accepted a new position elsewhere. County Manager Montoya expressed his appreciation for Business Analyst Tirado's hard work in implementing the new software for permitting processes, employee timekeeping, website enhancements and the budget builder. He thanked Mr. Tirado on behalf of Gilpin County and wished him good luck in the future. Commissioner Watson agreed, noting Mr. Tirado is very qualified and personable.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include: a virtual five-county monthly breakfast November 25; Colorado Counties, Inc.'s, virtual winter conference November 30 and December 1; the Board's regular (virtual) meetings December 8, 15 and 17, 2020.

Ratification of Snow Removal Program. Commissioner Watson thanked staff for correcting the address on the Snow Removal Program document, saying she believed it should be adopted by the Board. Commissioner Engels and Commissioner Isenhart said service levels are good and that residents need to understand that roads will not normally be plowed at night, as the County now employs fewer drivers who will not be working overtime. Commissioner Isenhart moved to ratify the Snow Removal Program, noting no resolution was needed. Commissioner Watson said policy is set by the Board and should be voted on by them and an approval date should be included on the document. No further action was taken.

Planning Commission Appointments. The Board referred to a list of recommendations for appointments to seats on the Gilpin County Planning Commission from Chair Laura Jenéy and took the following actions:

Commissioner Engels moved to appoint Rea Wrobel to a new three-year term, expiring December 31, 2023, as a regular member. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhart moved to appoint Roxy Goss to a new three-year term, expiring December 31, 2023, as a regular member. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhart moved to appoint Art Fuqua, currently the 1st Alternate, to a term to expire on December 31, 2022, as a regular voting member. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Engels moved to appoint Kurtis Duncan to a three-year term, expiring December 31, 2023, as the 1st Alternate. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhart moved to appoint Melissa Harless as 2nd Alternate to the one-year term that will expire on December 31, 2021, with the opportunity to apply for a new three-year term at that time. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Minutes.

Commissioner Engels moved to approve the Board of County Commissioners Meeting Minutes for October 26, 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 October 30, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Adjournment. being no further business to come before the Board, they adjourned at 11:07 a.m.

Signed this 08th day of December 2020.