

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

December 8, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 8, 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.** The Treasurer's October was removed from the agenda.

**Public/Press Comment.** Melissa Harless, 87 Hill Crest Drive, expressed her views on the rates changes at the County's trash transfer/recycling site saying she was not against the increases, but was concerned that the complexity of the fee schedule would be time consuming for the workers and could disincentivize recycling efforts. Commissioner Watson asked County Manager Montoya to schedule a work session on the topic.

**COVID-19 Update.**

Public Health Coordinator Bonnie Albrecht:

- The County's total case count is now 99 cases, and one death
- The positivity rate is improving, but the County will likely stay in the orange range on the State's COVID-19 dial for quite some time
- She has been working on vaccination planning with Emergency Manager Whittington.

Emergency Manager Nathan Whittington:

- The current focus is on vaccine allocation and distribution and the mass vaccination plan.
- Gilpin County is ready with its ultra-cold (-80 degrees) freezer.
- The first to receive the vaccine will be those who administer the vaccine, followed by first responders and healthcare workers, then the general population, likely in March, April or later.
- Both the Pfizer and Moderna vaccinations will be given in a 2-shot dose.
- He is working with Jefferson County on public education and information on vaccination sites.
- Gilpin County has a good supply of PPE stored, plus a back-up supply.

Commissioner Watson asked Manager Whittington to keep the Board informed on the allocation for Gilpin County, to prevent being overlooked as a small county.

**Resolution #20-29, Employee Handbook Amendments.** Lori Schroyer, Director of People, Culture and Finance, shared onscreen several changes to the Employee Handbook that had been approved by the Board in the past few months, and explained that the changes needed to be formally adopted by resolution. Commissioner Engels moved to adopt Resolution #20-29, "Approving an Amendment to the Gilpin County Employee Handbook Regarding Benefits, Pay and DMV Background Checks." Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

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

**Public Hearing—Application for a New Liquor License, Z Stop Convenience Store.** Chair Watson opened a public hearing for an application for a new Fermented Malt Beverage liquor license for Z Stop Convenience Store, 1351 Highway 119, presented by Deputy Clerk Sharon Cate. Applicant Eric Persson was present. County Attorney Benning advised the Board he had vetted the application and had no concerns, and that if the liquor license were approved, the store owners and manager would be required to comply with local and state public health orders.

Chair Watson opened the hearing to public comment. There being none, Chair Watson closed the hearing to public comment.

Discussion followed regarding the definition of "neighborhood" and needs of the neighborhood, the primary responsibility of the Local Liquor Licensing Authority. Dodd Hanneman, employee of the Z Stop Convenience Store's parent corporation, said the team at Z Stop had completed the alcohol service training and TIPS certification course to identify intoxicated patrons. Sheriff Kevin Armstrong said his staff has not seen any increase in traffic stops with the current alcohol service hours and that he had no concerns at this point.

Commissioner Engels moved to approve at the local level the application for a new Fermented Malt Beverage liquor license for Z Stop Convenience Store, 1351 Highway 119, with alcohol sales hours to comply with state law. Commissioner Isenhardt 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.)*

**Annual Liquor License Renewal Application—Mid County Liquor.** Deputy Clerk Sharon Cate presented an annual renewal application for the retail liquor store license for XTRACT, LLC, dba Mid County Liquor located at 17218 Highway 119, with a current expiration date of February 15, 2021. Commissioner Isenhart moved to approve the application at the local level, as presented, with a new expiration date of February 15, 2022. 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 Local Liquor Licensing Authority and reconvene as the Board of County Commissioners. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Finance Audit Engagement Letter for Year Ending December 31, 2020.** Finance Director Clorinda Smith presented the Finance Audit Engagement Letter for the year ending December 31, 2020, saying the only significant change is that the cost would be near the \$20,000.00 level due to the County's receipt of federal funds. Commissioner Isenhart moved to approve the Finance Audit Engagement Letter for the year ending December 31, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Resolution #20-23—Fund Balance Reporting Policy.** Finance Director Clorinda Smith noted that the Board had been given some information on this topic on November 17, and that it had been revised to include changes to the Library District with the passing of the mil levy. Commissioner Isenhart moved to adopt Resolution #20-23, "To specify Gilpin County's Manner of Compliance with Governmental Accounting Standards Board Statement 54 Requirements for Fund Balance and Governmental Fund Type Reporting." Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Resolution #20-28—Rescinding Fire Restriction as Imposed by Resolution #20-11.** Sheriff Armstrong said Gilpin County and some adjacent jurisdictions had rescinded some of their fire restrictions in the past few days, and that the decision needed to be ratified by resolution. Commissioner Engels moved to adopt Resolution #20-28, "Rescinding Temporary Stage 2 Fire Ban Imposed by Resolution #20-11." Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Treasurer's Monthly Report.** County Treasurer Mary Lorenz reported on operations in her office for the month of September 2020 saying that September of 2019 was very good, creating an even greater difference this year.

**Gilpin County-Held Treasurer's Liens.** County Treasurer Mary Lorenz advised the Board of her statutory duty to inform them of two properties that have County-held tax liens, one from 2008 and the other from 2010. Because of the age of these tax liens, the County can apply for a Treasurer's Deed if the Board would like, but there is no Board action required.

County Manager Montoya noted that there is a list of over 70 County-owned properties that need to be sold and added back to the tax rolls. Discussion followed on the best method to make the public aware of the available properties—either posting a request for proposals (RFP) for a realtor to list them on the multiple list system (MLS), or for the County to list them in the local newspaper of record and on its website. County Attorney Benning advised the Board that properties not acquired by tax lien can be disposed of at the Board's discretion, but that those properties that were acquired by tax lien must be advertised and sold by bid. County Manager Montoya will compile additional information and will bring this topic back to the Board.

**Inmate Health Services Agreement, Amendment 2.** Division Chief Sean Wheeler said the dollar amount for inmate health services has been reduced due to a lower inmate population since the COVID-19 pandemic began. The amount would need to be adjusted if the inmate population increases above 55 or 60. Commissioner Engels moved to approve the Inmate Health Services Agreement, Amendment 2, with Southern Health Partners, Inc., in the amount of \$232,062.36, for January 16, 2021 to January 15, 2022. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Child Support Services Agreement.** Human Services Director Laura Solomon presented an agreement through which Clear Creek and Gilpin counties would share an employee for child support services. The split in hours would be 2/3 for Clear Creek County and 1/3 for Gilpin County, based on the number of cases. A good candidate for this position has been identified and both counties are reviewing the training requirements. Commissioner Isenhart moved to approve the Agreement for Child Support Services for 2021 with Clear Creek County. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

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

Denver Metroplex Update and Petitioner's Brief. Gilpin County is one entity in a group that has filed a 90+ page petitioner's brief to compel the FAA to reconsider its decision for flight paths and procedures over Gilpin County; the brief is posted on the County's website. The brief asserts that noise and environmental impacts disrupt residents, school operations and wildlife. The main argument is that the FAA did not meet with Gilpin County, it held no public meetings and did not consider the impacts to historic properties. The brief also addresses the fact that the FAA is required to consider new sound metrics, how they engage the public, and the way they compile their studies, which they did not do. The group of petitioners hopes to see resolution of this conflict in 2021.

Ordinance Regarding Parking on County Roads. The County's current ordinance restricting parking on County roads is somewhat weak and needs to have new penalties included for effective enforcement, such as parking tickets. One large concern is travelers to Gilpin County who park on County roads and impede local and emergency traffic. Commissioner Watson requested work product on this topic in early January.

County 1041 Powers. The County's 1041 regulations have not changed, but they are included in the proposed Zoning Regulation updates, which will be heard by the Board on December 15 and January 5, 2021.

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

Detentions Monthly Report. During October, the average daily inmate population was 19 people, but the same month last year was 60. The Board renewed their request that the visualization of departmental reports on the website be improved.

Emergency Session Legislative Update. Approximately 30 bills were considered totaling nearly \$280 million in stimulus funds. Ten were approved for assistance to businesses, broadband to schools, eviction prevention, utilities assistance, food banks and childcare needs.

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

Notice of Public Meetings. The Board's upcoming public meetings will include: a tour of the new Human Services / Public Health building on December 11; and regular Board meetings on December 15 and 17, and January 5 and 12. There will be a traditional swearing in ceremony on January 12 for Commissioner-elect Sandy Hollingsworth, but Commissioner-elect Web Sill is not available that day, so he will be sworn in on January 8.

Recognition of Volunteers in County Service Organizations. The Commissioners took turns reading aloud lists of many residents who have volunteered on local service organizations. They thanked the volunteers saying their work is very valuable and contributes to the quality of life in Gilpin County.

#### **Minutes.**

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

Commissioner Isenhardt moved to approve the Board of County Commissioners Meeting Minutes for November 12, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhardt moved to approve the Board of County Commissioners Meeting Minutes for November 17, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhardt moved to approve the Board of County Commissioners Meeting Minutes for November 20, 2020. Commissioner Engels seconded the motion. Commissioner Watson said the minutes should have mentioned the Zoom bombing and how it was addressed, and that a new link was created for a restart of the meeting. Commissioner Isenhardt withdrew her motion to approve the November 20 minutes. Deputy Clerk Cate assured the Board that the author of that day's minutes was on today's meeting and was likely adding the requested information to the draft.

**Public / Press Comment.** Bill Merline, 86 Spruce Way, expressed his support of the public comments made by Melissa Harless at the beginning of today's meeting on the new costs of trash and recycling, saying the Board would hear more push back. He also asked questions about the basis for some of the new prices.

**Adjournment.** There being no further business to come before the Board, they adjourned at 11:44 a.m.

Signed this 05<sup>th</sup> day of January 2021.