

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

December 15, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 15, 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.

Moment of Silence for Cody and Shelby Allen. Commissioner Watson called for a moment of silence for local residents Cody and Shelby Allen who passed on December 11, 2020. She said they will be remembered by family and friends as servants of their community and the Central City Fire Department. Commissioner Isenhardt expressed her heartfelt sympathy in this tragedy and hoped residents could support each other in the coming days. Commissioner Engels was distraught and unable to speak.

Agenda Review. Deputy Clerk Sharon Cate stated that Resolution #20-26 and Resolution #20-27 had been listed in the wrong order on the agenda and asked that they be reversed. Also, the December 8 minutes were removed from the agenda.

COVID-19 Update.

Public Health Coordinator Bonnie Albrecht:

- Gilpin County's current total case count is 105; the positivity rate is down to 5.5%
- Work on the plan for vaccinations continues.
- Commissioner Watson referred to the second part of the memorial service for Cody and Shelby Allen to be held at the Gilpin County Fairgrounds, and asked how the attendees would be distanced and safe. Public Health Coordinator Albrecht said she would be working with the family to ensure attendees follow health safety guidelines. Sheriff Kevin Armstrong described the plans that were in place and said deputies would also be present to remind people to follow health safety guidelines. Commissioner Watson asked County Attorney Benning if there was potential liability to the County by hosting the family and others at a County facility. He said the memorial service plan was in compliance with state guidelines and noted that the cold weather predicted for that day would likely limit attendees' time at the Fairgrounds. Emergency Manager Nathan Whittington gave an overview of the plan that includes giant TV screens streaming the memorial service outdoors at the Fairgrounds to allow people to stay inside their vehicles. He added that the overall plan is not final.

Emergency Manager Nathan Whittington:

- Gilpin County is starting to receive vaccine supplies, such as needles and atomizing back-pack sprayers to disinfect vaccination site rooms. He and Public Health Coordinator Albrecht are preparing to receive vaccines in January.

Public Hearing—Zoning Regulations. Chair Watson opened a public hearing for the Zoning Regulations. Senior Planner Stephen Strohmingler stated that the public hearing for the Zoning Regulations needed to be moved to the January 5 agenda, to allow time to receive additional input from the Planning Commission after their meeting tonight. Commissioner Engels moved to continue the Public Hearing for the Zoning Regulations to the January 5, 2021 meeting. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0. Chair Watson closed the public hearing.

Public Hearing—Resolution #20-26, Adopting the 2021 Budget. Chair Watson opened a public hearing for review and adoption of Resolution #20-26, "Summarizing Expenditures and Revenues for each Fund and Adopting a Budget for Gilpin County, Colorado, for the Calendar Year Beginning on the First Day of January, 2021, and Ending on the Last Day of December 2021." Finance Director Clorinda Smith said no changes had been made to the 2021 budget book, unless the Board had changes to make today. The Board thanked Finance Director Smith and all employees who had a part in the budget, noting 2020 had been a terribly difficult year.

Chair Watson opened the hearing to public comment. There being none, Chair Watson closed the hearing to public comment. Commissioner Isenhardt moved to adopt Resolution #20-26, "Summarizing Expenditures and Revenues for each Fund and Adopting a Budget for Gilpin County, Colorado, for the Calendar Year Beginning on the First Day of January, 2021, and Ending on the Last Day of December 2021." Commissioner Engels 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.)*

Resolution #20-27, Levying General Property Taxes for the Year 2020, to Help Defray the Costs of Government for Gilpin County, Colorado, for the 2021 Budget Year. Finance Director Smith gave brief information on the ballot issues for the Parks and Recreation and Library special districts. Commissioner Engels moved to adopt Resolution #20-27, "Levying General Property Taxes for the Year 2020, to Help Defray the Costs of Government for Gilpin County, Colorado, for the 2021 Budget Year." Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Annual Take-Home Vehicle List. Finance Director Smith spoke briefly about minor changes to the list of vehicles some employees were authorized to drive to and from their workplaces and their homes to respond to emergencies or urgent matters outside normal hours of operation. Commissioner Watson asked County Manager Montoya if the three hybrid vehicles needed to be driven more frequently. County Manager Montoya said some Public Works vehicles could be switched with these cars to keep them charged. Commissioner Engels moved to approve the annual take-home vehicle list for 2021. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Public Hearing—Comprehensive Plan. Chair Watson opened a public hearing for review of the Comprehensive Plan, approved by the Planning Commission on December 8, 2020. County Manager Montoya thanked the Planning Commission for their hard work, and the Board and the public for good participation and their help in developing the Comprehensive Plan. He explained that the Comprehensive Plan is a Planning Commission document and no approval was needed from the Board. Senior Planner Stephen Strohming gave thanks to the DTJ Design team, then gave a PowerPoint presentation onscreen of some chapters in the Comprehensive Plan.

Chair Watson opened the hearing to public comment.

- Bill Merline, 86 Spruce Way, expressed concerns with: wording changes; access to final draft on the website is difficult; enhanced roadway lighting on highways 119 and 46; snow removal; and motorcycles. Senior Planner Strohming was directed to forward these comments to the Planning Commission for their review in 2021.

There being no further public comment, Chair Watson closed that portion of the hearing.

Commissioner Watson said the Board has been engaged and has expressed some concerns, but is in an awkward position with no opportunity to comment. She spoke about not wanting to increase the number of visitors to Gilpin County and that the access points to the US Forest Service lands have been totally overwhelmed. She said she hoped to see greater focus on conservation in the County.

Commissioner Engels said he hoped the controls the Board has requested on transfers of development rights would be included in the Building and Zoning Regulations at the January 5 meeting, as it was a contentious issue. As to recreation and housing, the Comprehensive Plan needs to have a framework to manage those things. Growth is inevitable and the change to no limits on gaming bets and the expansion of games will bring more people to that market. The Board needs to have the ability to control the growth they expect.

Commissioner Isenhart agreed with Commissioners Watson and Engels' comments, saying parts of our County have been loved to death with no economic benefit to the County. Increased visitors are a drain on the County's first responders and roads and the Board wants to downplay some aspects of the County. With half of the County being public lands, the remainder is already well developed, though there are some areas for controlled growth. The viewsheds and wildlife corridors are valued and is part of who the County is. There will be flexibility and changes made, but the Plan shows good progress. She thanked Senior Planner Strohming and all of the County.

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.)*

Boundary Line Elimination Application—BLE #20-01. County Planner Tami Archer presented a Boundary Line Elimination (BLE) application for Young Ranch North, LLC, combining 50 lots east of the Russel Gulch area, mostly mining claims, into 6 parcels. If approved, 37 potential development rights would be eliminated. Planner Archer shared onscreen her staff report and maps of the proposed changes, and recommended approval of the application, as it meets the criteria in Section 3.4, Subdivision Exemption, of the Zoning Regulations. Commissioner Engels stated that prior to the application being filed he had spoken with Bob Young about the general outlines, and said he did not think that conversation would disqualify him from voting, as he has no personal stake in the request. Commissioner Isenhart moved to approve BLE #20-01 for Young Ranch North, LLC. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Boundary Line Adjustment Application—BLA #20-02. County Planner Tami Archer presented a boundary line adjustment application for Venture Mill Company, LLC, Black Diamond Excavation, LLC, and Jeffrey Perryman in the Russel Gulch area. She shared onscreen a map of the applicants' proposed adjustment of three lots, which was configured to align them with Virginia Canyon Road. The lots would remain developable, no new parcels would be created and the application meets the requirements of the Zoning Regulations. Discussion followed regarding continued development in Russel Gulch and the unfortunate circumstance that the current residents have no say in the development. Commissioner Engels moved to approve BLA #20-02, for Venture Mill Company, LLC, Black Diamond Excavation, LLC, and Jeffrey Perryman, creating new Parcels A, B and C. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Clerk and Recorder's Monthly Report. Chief Deputy Clerk and Recorder Ashley Martin reported on operations in that office for the months of October and November 2020. The Board thanked her for having the reports completed and submitted so promptly. Chief Deputy Martin gave a brief update on the motor vehicle division and the status of providing customer service by appointment.

Treasurer's Monthly Report. Treasurer Mary Lorenz reported on operations in her office for the month of October and November 2020, saying that tax collection numbers are going down, but the Tax Lien Sale went well. She noted she will meet with a bank representative to discuss bank fees since the interest earned is almost nothing.

Renewal of Contracts. Business Analyst Gabrielle Chisholm presented the following contract renewals for the Board's review:

4-H Lease. The lease provides a small storage space in the Exhibit Building from January 2021 through the end of 2023, to coincide with the mil levy end. Commissioner Engels moved to approve the lease as presented. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

High Country Auxiliary Lease. This group has a storage pod at the Fairgrounds and the lease would be extended for three years. Commissioner Engels moved to approve the lease as presented. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Surveyor Services—Flatirons. All of the County's surveying needs would be covered by this agreement, as the County has no appointed surveyor. County Manager Montoya said a cost guide is available if any services are ever needed, and there are no fees if no work is done. Commissioner Isenhart moved to approve the Agreement with Flatirons. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Teryx, Inc., IT Support Services. Teryx, Inc. has made no changes in its pricing. County Manager Montoya said many hours of their work during the pandemic will be reimbursed through COVID-19 funds. Commissioner Engels moved to approve the contract as presented. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Timberline—Rollinsville Shop Lease. Discussion of the proposed lease for Timberline Fire Protection District (TFPD) to house some equipment inside the County's Rollinsville shop demonstrated the need for a meeting between County Manager Montoya and TFPD officials. Commissioner Watson spoke about the need to house expensive Public Works equipment inside the shop. Commissioners Isenhart and Engels agreed and asked County Manager Montoya to speak about this topic on January 5.

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

Continuation of Disaster Declaration. Gilpin County's current Disaster Declaration will expire on December 31, 2020. County Attorney Benning and County Manager Montoya suggested extending it to June 30, 2021, when additional COVID-19 funding might be available. Commissioner Engels moved to approve the fifth continuation of Gilpin County's Disaster Declaration to June 30, 2021. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Zoning Matters: County Attorney Benning updated the Board on some zoning violations and actions at the following properties:

- 26 Hornblend Road. A court judgement was obtained for 14 inoperative vehicles, with a fine in the amount of \$1,000.00, plus \$100 per day. The fines will be processed by the Court, which adds a tax lien to the property. The tenant on the property refuses to work with the County, putting the property owner in a difficult position. The Board agreed they would rather find a solution with the property owner and tenant rather than seek the fines in Court.
- 225 Mountain Meadow Road. Because there are numerous inoperative vehicles and trash on this property, a notice of violation was sent. If the property owner does not respond, the County will file a complaint in Court.
- 105 Miner's Candle Way. This property has an inoperative onsite wastewater system, multiple inoperative vehicles and excessive trash. County Attorney Benning and County Planner Tami Archer continue to work with the property owner to achieve compliance.

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

Cigna Health Insurance Implementation. Two documents are needed to finalize Gilpin County's agreement with Cigna Health Insurance and the enrollment process. In response to questions from the Board, People, Culture and Finance Director Lori Schrayner stated that employees should receive their new insurance cards within a week. Commissioner Watson directed Deputy Clerk Cate to use her signature stamp on the two documents.

Shout-Out Award. Human Services Director Laura Solomon presented a Shout-Out Award to Jennifer Josselyn, who serves as that department's Hotline Attendant, Office Assistant, Food Pantry Coordinator, and LEAP Coordinator. Director Solomon shared onscreen the award and said Ms. Josselyn is very pleasant and makes the Director's job very rewarding. She said Ms. Josselyn is a great asset and is the face and heart of Gilpin County Human Services. Commissioner Watson thanked Director Solomon for recognizing Ms. Josselyn's work. Commissioner Isenhart agreed and said Ms. Josselyn does a great job. Ms. Josselyn said she was overwhelmed to receive the Award.

Sale of County-Held Property. County Manager Montoya led a continuation of the Board's December 8 discussion of a list of County-held properties, and what would be the best way to sell them to add them back to the County's tax roll. There are approximately 70 properties on the list, which includes account numbers, location, percentage of ownership, and whether they have mineral or surface rights; correlating maps were included. The approximate combined value of the properties is \$639,000.00, but most are small parcels generating very little interest for prospective buyers. The Board will have another opportunity to review each parcel on the list before they are made available to the public. County Manager Montoya proposed notifying adjacent property owners that these parcels are available, then put them up for bid. Senior Planner Stephen Strohming said he would work on the list to make it easier to see exactly what is for sale. The properties would be advertised in groups in the County's newspaper of record, the *Weekly Register-Call*, and on the County's website, and it would likely take two to four weeks to list them and receive the bids. County Manager Montoya noted that one high-value parcel identified by County Treasurer at the Board's December 8 meeting would be administered through a different process, still to be determined.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include: December 17, 2020, January 5 and January 12, 2021.

Appointment to the Historic Preservation Commission. Historic Preservation Commission (HPC) Liaison Tami Archer said Jasper Webb had sent letter of interest to serve on HPC, and that after an informal interview, the HPC members voted unanimously to recommend she be appointed to the vacant seat. Commissioner Isenhart said Ms. Webb's background includes good work experience, grant writing capabilities and other qualities, and moved to appoint Jasper Webb to the HPC. Commissioner Engels agreed and seconded the motion, which passed by a vote of 3 to 0.

Commissioner Watson noted that HPC member B. Travis Wright would hopefully present information at the Board's January 5, 2021, meeting on a possible land exchange that could impact the Rollins Pass area. US Forest Service Forest Supervisor Monte Williams will be invited to view the presentation.

Minutes. Commissioner Isenhart moved to approve the Board of County Commissioners revised Meeting Minutes for November 20, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. Carolyn Petersen, 1429 Wedgewood Road, had questions about the County's plan for a vaccination site. Commissioner Watson said the vaccine administration plan is not final yet, but staff and the Gilpin Ambulance Authority are working on it and information will be shared with the public. The County's subzero freezer has been received and is ready for use. County Manager Montoya said he didn't think the vaccine would be available to the general public until March or later, but information would be shared well in advance.

Assessor's Update to Sale of County-Held Property. Assessor Anne Schafer said she has an updated worksheet with more detail on the above noted County-held properties that will be sold, and spoke about 12 parcels on Chase Street in Black Hawk that could be sold or kept for the County's public use.

Adjourn. There being no further business to come before the Board, they adjourned at 11:21 a.m.

Signed this 05th day of January 2021.