

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

January 19, 2021

A regular meeting of the Board of County Commissioners of Gilpin County was held on January 19, 2021, in an online format. Chair Linda Isenhardt called the meeting to order at 9:00 a.m. In attendance were Chair Isenhardt, Commissioner Web Sill, Commissioner Sandy Hollingsworth, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Public Comment.** One person tried to speak, but lost their phone connection to the meeting.

**COVID-19 Update.**

Public Health Coordinator Albrecht:

- Gilpin County's total case count is now 138; 9 people are currently sick; there have been two confirmed deaths.
- If the County stays in the yellow range on the State's COVID-19 Dial for two weeks, its rating can be changed to yellow. The current positivity rate is 4.9%.
- 404 vaccinations have been administered, but testing numbers are down due to high winds and cold weather, and a clinic had to be canceled.

Emergency Manager Whittington:

- The Emergency Operations Center (EOC) continues to support testing operations and administering vaccinations. Moving testing/vaccination operations to a new site is being considered, as it would be free of charge, large enough for social distancing and can be dedicated for long-term use. Emergency Manager Whittington will update the Board when more information is available.
- Medical supplies continue to be received.

**Annual Emergency Management Performance Grant.** Emergency Manager Nathan Whittington presented the annual Emergency Management Performance Grant (EMPG) application to the State that helps fund the Office of Emergency Management (OEM) and a portion of the Emergency Manager's salary. The grant application includes the OEM's 2021 work plan outside its COVID-19 activities. Finance Director Clorinda Smith and County Treasurer Mary Lorenz have reviewed and approved the grant application as it relates to their offices. Discussion followed regarding the grant amounts received in the past, and that the remainder of the Manager's salary is paid from the County's general fund. Commissioner Sill moved to approve the EMPG grant application. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Board of Health.** Commissioner Hollingsworth moved to recess as the Board of County Commissioners and convene as the Board of Health. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**5-Star Certification Program / Public Health Order #21-01.** County Manager Montoya presented information on the State's 5-Star Certification Program for counties to apply for certification that would allow some types of businesses within their jurisdiction to operate at one level lower (less restrictive) on the State's COVID-19 Dial. Counties that are accepted into the State's 5-Star Program would then accept applications from local businesses to participate. Gilpin County approved businesses would be subject to inspections and compliance checks by the County's Administrative Committee, plus an inspector from Black Hawk or Central City if applicable. Businesses would display a placard indicating their participation in the Program. County Manager Montoya said today's request of the Board of Health was to approve Public Health Order (PHO) #21-01, "Authorizing Application for State 5-Star Certification Program in and for Gilpin County, Colorado." Commissioner Hollingsworth moved to approve PHO #21-01. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Board of County Commissioners.** Commissioner Sill moved to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution #21-04 for 5-Star Certification Program.** County Manager Montoya requested approval of the above described 5-Star Certification Program by the Board of County Commissioners via resolution. Commissioner Hollingsworth moved to adopt Resolution #21-04, "Supporting Application for Colorado 5- Star Certification Program in Gilpin County." Commissioner Sill 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 month of December 2020. She also cited end-of-year variances saying that the recording division's revenues are up \$23,581.76 from 2019, and the Motor Vehicle divisions' 2020 revenues are up \$191,335.14 from 2019. A new part-time employee will start soon in Motor Vehicle, which is currently booked for appointments until February 15.

**Resolution #21-03, Approving C-PACE Agreement.** County Manager Montoya explained that the Agreement for participation in the C-PACE (Commercial Property Assessed Clean Energy) program was approved by the Board on January 5, 2021, but that the accompanying resolution had been overlooked. Commissioner Hollingsworth said

both cities support the C-PACE program and they hope to see it start soon. Commissioner Sill moved to adopt Resolution #21-03, "Concerning the Authorization of the Colorado New Energy Improvement District to Conduct its New Energy Improvement Program, Called Colorado Commercial Property Assessed Clean Energy (C-PACE), within Gilpin County." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Employment Contracts.** The Board discussed changes to the existing employment contracts for County Manager Montoya, County Attorney Benning, Human Services Director Solomon, Parks and Recreation Director Gabrielle Chisholm, and People, Culture and Finances Director Lori Schrayner. One of the changes would bring the contracts into compliance with the Employee Handbook regarding the vacation accrual annual cap of 208 hours by December 31. The second change is that any update to the Employee Handbook would be required in each contract. County Attorney Benning's contract began in January of 2020, for a one-year term; a change to his contract would cause it to automatically renew annually. Also discussed was a clause prohibiting these contract employees from running for public office in Gilpin County, while under contract.

Commissioner Sill moved to approve County Attorney Benning's 2021 contract with the provision that is it corrected to say the Attorney is subject to the Employee Handbook. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Commissioner Sill moved to approve County Manager Montoya's contract with the provision that the language saying the Manager is not subject to Employee Handbook be removed, that he is subject to the Employee Handbook, and to approve the changes inside the contracts for People, Culture and Finance Director Lori Schrayner; Human Services Director Laura Solomon; and Parks and Recreation Director Gabrielle Chisholm with modest changes. Noting the clarification on the Directors' contracts, Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Potential Gaming Impact Fund Legislation.** County Manager Montoya gave an overview of some potential legislation at the state level that could affect how the Gaming Impact Funds are distributed to Teller and Gilpin County. A few options for distribution are being considered. He will set up a meeting for the Board to talk with the County's state delegation soon.

**Annual List of Committees, Boards and Commissions.** The Board discussed a list of other entities' boards and commissions that provide support to or collaboration with Gilpin County. Each Commissioner volunteered to serve on various committees and the final list was agreed upon.

**Legal Status Report.** County Attorney Bradford Benning advised the Commissioners on a draft intergovernmental agreement with the new Library District to address how various Library costs and insurance will be covered.

**County Manager Status Report.**

FFCRA. County Manager Abel Montoya asked People, Culture and Finances Director Lori Schrayner to explain the Family First COVID Relief Act (FFCRA). She stated that the federal FFCRA has ended and asked the Board if they wanted to provide up to 80 hours of pay to employees who are sick with COVID-19 or are attending to affected family members. The pay option would be mostly for new employees who have not yet accrued 80 hours of sick leave. After discussion, Commissioner Hollingsworth moved to approve replacing the FFCRA with a Gilpin County program to provide up to 80 hours of pay to employees affected by COVID-19, retroactive to January 1, 2021, through June 30, 2021, to coincide with the most recent continuation of the County's Disaster Declaration. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 1, with Commissioner Sill voting against, citing generous employee benefits already in place.

**Board of County Commissioners Status Reports.**

Notice of Public Meetings. The Board's upcoming public meetings will include: February 2 and 16, 2021. Other entities' meetings that one or more Commissioners might attend include Colorado Counties, Inc.'s, trainings and steering committees. There will also be trainings and orientation with Gilpin County staff, in which no decisions can be made.

**Minutes.** Commissioner Hollingsworth moved to approve the Board of County Commissioners Meeting Minutes for January 12, 2021. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 0, as Commissioner Sill was unable to attend the January 12, 2021, meeting.

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

Signed this 02<sup>nd</sup> day of February 2021.