

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

February 2, 2021

A regular meeting of the Board of County Commissioners of Gilpin County was held on February 2, 2021, in an online format; no physical meeting was held. Chair Linda Isenhart called the meeting to order at 12:30 p.m. In attendance were Chair Isenhart, Commissioner Sandy Hollingsworth, Commissioner Web Sill, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Work Session with Legislators.** Prior to convening the regular meeting at 12:30 p.m., the Board held some informal work sessions, beginning at 9:00 a.m. Work sessions are for discussion only; no decisions can be made.

1. Representative Judy Amabile and Senator Tammy Story spoke about potential State legislation that could affect: the reporting of sports betting within casinos; the Local Government Limited Gaming Impact Fund as to negative impacts to a community due to gaming; and the reconfiguration of how gaming revenue is distributed to both Teller and Gilpin counties.
2. The Board discussed a draft house bill that seeks to prohibit members of Boards of County Commissioners from also serving as that county's Board of Health. Statewide, small and rural counties are strongly opposed to this bill.
3. Senator Story spoke about the replacement of pipelines that carry both propane and natural gas. Utility companies have made no public notice of their intent to cover the replacement costs by charging their customers. The process has been stopped to allow the public to speak to the Public Utilities Commission (PUC). A press release will be sent to local newspapers.
4. Gilpin County is working on an ordinance to regulate parking on county roads, particularly Tolland, Apex Valley, Bald Mountain and Columbine Campground roads, as they access recreation areas. The ordinance would be a deterrent to non-residents who park on these and other roads that impede the passage of emergency response vehicles and the evacuation of residents during a wildfire or other emergency.

**Chair Linda Isenhart called the Board's regular meeting to order at 12:30 p.m.**

**Black History Month Proclamation.** Commissioner Isenhart read aloud Gilpin County's Black History Month Proclamation, which the Board agreed was very important.

**Treasurer's Monthly Report.** County Treasurer Mary Lorenz reported on operations in her office for the month of December 2020, including two deficits in County revenues received in 2020: the interest income loss was \$108,000.00; the gaming revenue distribution loss was \$4,500,000.00. Treasurer Lorenz and County Attorney Benning then gave an overview of a presidential executive order sent to mortgage lenders extending the moratorium on HUD mortgages. Though the Order somewhat conflicts with Colorado statutes, Treasurer Lorenz and many other county treasurers will implement the extension.

**COVID-19 Update.**

Public Health Coordinator Bonnie Albrecht:

- Gilpin County's total case count for the past 11 months is 149, including eight in the last 14 days
- The State is moving to the new COVID Dial 2 next week, which will change how metrics are viewed.
- The vaccination clinics are going well, with 459 first doses and 187 second doses administered so far. The next group of people statewide will be those age 65+ and teachers, though there are still many age 70+ that need vaccinations. All operations depend on how many vaccines are received.
- Local testing has been postponed for a couple of weeks, due to some inaccurate test results.

Emergency Manager Nathan Whittington:

- The vaccination clinic has been moved to a large meeting room at the Ameristar Casino. Area agencies helping with operations are Gilpin Ambulance Authority, Timberline Fire Protection District and Black Hawk Fire. This will continue through June, then an auxiliary site for drive-through vaccinations will be utilized.
- After the remaining people age 70+ have been vaccinated, a clinic for local teachers will be held at the school and will include Eagles' Nest Early Learning Center.
- Emergency Manager Whittington has activated the Gilpin County Animal Response Team (GCART) to handle phone calls for clinics.

**Supplemental to 2021 Budget for Costs Associated with the Gilpin County Vaccination Plan.** Emergency Manager Nathan Whittington presented a grid of the projected needs and costs of operating a vaccination program beginning March 12, 2021. With a 20% buffer added for unanticipated expenses, the total supplemental budget amount would be \$167,000.00. Emergency Manager Whittington has been talking to FEMA staff and is prepared to submit a reimbursement request for this amount, as all vaccine costs to the County may be 100% reimbursable. After discussion, Commissioner Sill moved to provide a supplemental budget to the County's Office of Emergency

Management for COVID-19 vaccinations in the amount to \$150,000.00 from the General Fund with the understanding that the Board will be willing to allocate additional funds if needed. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Discussion of Clear Creek County Shooting Range, and Conservation and Frei Quarry Funds.** In January 2021, the previous Board of County Commissioners voted to contribute \$400,000.00 to Clear Creek County for the construction of an extensive public shooting range. That money would be used by Clear Creek County as part of their grant match, and to support their grant application to Colorado Parks and Wildlife for the shooting range. Today the current Board discussed which Gilpin County funds would be used, meaning Conservation Trust funds and revenue from the Frei Quarry, which are dedicated only for specific outdoor uses, and if they wanted to continue with the previous Board's commitment or make a change. They agreed the \$400,000.00 would not come from the General Fund. After lengthy discussion, Commissioner Hollingsworth moved to approve and support the prior Board of County Commissioners policy to support the shooting range with Clear Creek County, including the allocation of \$400,000.00 for that effort, with the condition that all will be subject to an intergovernmental agreement with Clear Creek County and the USFS to determine how the range would be implemented by both counties. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 1, with Commissioner Sill voting against.

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

Zoning Matter at 26 Hornblend Place. After hearing County Attorney Benning's report on this zoning regulations violation case, the Board agreed the County would begin much stronger enforcement of the Court imposed fines on the property owner, plus other enforcement measures.

Dory Hill Road—Xcel Pipeline Noise Update. The project manager for Xcel Energy's pipeline along Dory Hill Road has told County Attorney Benning the company is trying to reduce the noise created by the pipeline, but that not all noise could be eliminated. County Attorney Benning will report any development to the Board.

Draft Variance for Casino Table Games. Due to expected changes to the State's COVID Dial 2, table games in casinos could see an easing of restrictions. County Attorney Benning will begin writing a variance request in anticipation of those changes.

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

Human Services / Public Health Building. Gilpin County's Green Globes criteria at the Human Services & Public Health building will not be affected by fewer parking lot light poles being installed. An 8-foot berm will be created by the Public Works staff behind the building near an adjacent property. A final walk-through with the contractor is scheduled for February 5, final inspections are scheduled for February 11, and once State computer servers are relocated, both departments can move in afterward.

5-Star Certification Program. Gilpin County has received 15 applications for participation in the State's 5-Star Program, which will allow businesses to operate at one level lower (less restrictive) on the State's COVID-19 Dial. The local administration committee of 13 people will begin reviewing the applications tomorrow.

Legislative Update. After County Manager Montoya's report on some bills before the State legislature this session, he noted that Commissioner Sill would be Gilpin County's representative on the Gaming Impact Fund Committee. In this morning's work session, Representative Judy Amabile said she is working on a bill that will be more descriptive of Gilpin County's negative impacts from Gaming.

Parks and Recreation, CARES Act Funding. County Manager Montoya and Parks and Recreation Director Gabrielle Chisholm reported on the CARES Act funds Gilpin County has received through the Department of Local Affairs (DOLA). Commissioner Sill moved to submit Gilpin County's reimbursement request to DOLA. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Newspaper Article on Salaries in County. In response to an article in the *Weekly Register-Call*, County Manager Montoya and Finance Director Clorinda Smith explained how numerous factors can affect how a salary is reported, such as whether or not an employee worked a full year, plus the effect of benefits on a gross salary. County Manager Montoya stated that no employee has received a pay increase since July 2019, and there is a freeze on salary increases at this time. Commissioners' salaries are set by the state per the population in a county.

*Weekly Register-Call* Reporter Randy Beaudette said some of the information he had sent to the editor had been misinterpreted and that he knew the article was not entirely accurate. Commissioner Sill said that correct information from the County should be provided.

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

Notice of Public Meetings. The Board's upcoming public meetings will include: February 16, March 2 and 16, 2021. More than one more Commissioner might attend the walk-through of the new Human Services & Public Health building on February 5.

DRCOG Area Agency on Aging. Deputy Clerk Sharon Cate informed the Board that resident Sharon Perea had resigned as Gilpin County's volunteer representative on the Denver Regional Council of Government's Area Agency on Aging. She noted the County should have two representatives and asked the Board if they wanted her to pursue recruitment via newspaper ads and a note on the County's website. Commissioner Sill moved to recruit representatives via the newspapers for the Denver Regional Council of Government's Area Agency on Aging. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Minutes.** Commissioner Hollingsworth moved to approve the Board of County Commissioners Meeting Minutes for January 19, 2021. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.** Bill Merline, 86 Spruce Way, expressed his views on the planned shooting range in Clear Creek County, its hoped-for effect on shooting in the national forests, and the outdoor lighting at the Human Services & Public Health building.

**Adjourn to Executive Session.** Commissioner Sill moved to adjourn into Executive Session within ten minutes in accordance with

- C.R.S. 24-6-402(4)(f)(I) to discuss personnel matters regarding a specific employee(s)
- C.R.S. Section 24-6-402(4)(b) for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions regarding personnel.

Commissioner Hollingsworth 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 3:20 p.m.

Signed this 16<sup>th</sup> day of February 2021.