

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

May 18, 2021

A regular meeting of the Board of County Commissioners of Gilpin County was held on May 18, 2021, in an online format; no physical meeting was held. Chair Linda Isenhart called the meeting to order at 9:00 a.m. In attendance were Chair Isenhart, Commissioner Sandy Hollingsworth, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate. Commissioner Web Sill joined the meeting mid-morning following a medical appointment.

**Agenda Review.** County Attorney Benning said there would be no need for an executive session today, and removed it from the agenda.

**COVID-19 Update.**

Public Health Coordinator Bonnie Albrecht:

- The incidence rate is 11 cases in the past seven days, with no hospitalizations in the past month.
- Over 50% of residents have received their first shot and 40.5% are fully vaccinated.
- COVID-19 testing is being offered at the Z Casino on Thursdays from 10:00 a.m. to 2:00 p.m.; vaccination clinics at the Ameristar Casino will conclude at the end May; smaller clinics might be added at other locations.
- Jefferson County has a mobile clinic for the 12+ age population.
- The Colorado Department of Public Health and Environment can offer an onsite clinic at a workplace.

**Eagles' Nest Early Learning Center First Quarter Report.** Kayla Lowe, Executive Director of Eagles' Nest Early Learning Center (ENELC), gave a brief overview of a first quarter report she had sent to the Board. Currently 33 children are enrolled, from infants through pre-school age, which is 50% of the facility's capacity. At this time, early childcare centers have been opened to full capacity, but there is a shortage of teachers locally; one is in the hiring process now. Director Lowe credited two types of federal loans with keeping the Center open through the pandemic.

**Renewal of Public Health Contract with State.** Public Health Coordinator Bonnie Albrecht proposed the renewal of the County's contract with the Colorado Department of Public Health and Environment. The contract ensures that through Gilpin County's partnership with Jefferson County, core public health services are being implemented, such as Maternal Child Health, and a community improvement plan. Commissioner Isenhart asked if the contract's lowered amount reflect the change to the child fatality element. The Board consensus was to postpone the item until the June 1, 2021 meeting, to allow time to gather more information from the State.

**Sheriff's Office Monthly Report.** Sheriff Kevin Armstrong shared onscreen a detailed report on his office's operations during the month of April 2021. He spoke to the increase in services in dispatch, victim services, evidence storage, detentions bookings and meals, senior meals, patrol contacts with the public, revenues received, and general information on some recently concluded cases. He then read some compliments on deputies and staff from citizens. Due to the 800 mhz radio system being temporarily inoperative statewide, Sheriff Armstrong commended dispatcher Brianna Kennedy for maintaining operations during a heavy snowstorm using only a handheld radio to assist with a large accident on the Central City Parkway. He said she had managed the situation well and had done a good job.

Sheriff Armstrong then spoke about working with the US Forest Service regarding reports of shooting, and with the Colorado State Patrol to reduce speeding on SH119 and SH46. Infrastructure Deputy Director Dave Rich said his crew would be installing more "No Parking" signs with stickers about ticketing per the County's new ordinance. The Colorado Department of Transportation will determine the location of "Wildlife Crossing" signs, focusing on areas where the most accidents occur.

**Proposals from Ballot Vendors.** Clerk and Recorder Sahari McCormick presented a list of ballot vendors available for the printing and mailing of Gilpin County ballots over the next four years. She recommended continuing with the current vendor Runbeck, as they have been helpful in the past and their contract amount was the lowest. She also stated that the length of a ballot can somewhat change the amount for a given year. In response to questions from Commissioners Isenhart and Hollingsworth, she stated that secrecy sleeves had been included in the request for proposals, and that per Secretary of State guidelines, she would use the voter instructions as a secrecy sleeve to reduce postage costs, as is done in many counties. In the next year or two, there may be enough Spanish speakers in the County to warrant printing a bilingual ballot. County Attorney Benning said he would examine the Runbeck four-year contract for any TABOR issues. Commissioner Hollingsworth moved to have Gilpin County enter into an agreement with Runbeck for the printing of ballots over a four-year period, if allowed. Commissioner Isenhart seconded the motion, which passed by a vote of 2 to 0, as Commissioner Sill was not present yet.

**VOA Contracts Renewal.** Senior Services Coordinator Mary Ellen Makosky presented the annual agreement renewals with the Volunteers of America (VOA) to provide seniors with nutritious meals and transportation. In response to questions, she stated that with only five volunteers and limited staff for meal delivery and

transportation, and no current option for congregate lunches, the requirements listed in the agreements could not be met, but that VOA directors said they would be flexible at this time. Commissioner Hollingsworth moved to renew the contract with VOA for meals and transportation. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 0, as Commissioner Sill was not present yet.

**County Land Sale Auction Contract.** County Treasurer Mary Lorenz spoke about a list of 208 properties held by Gilpin County, most of which came to the County by default through unpaid taxes, the tax lien sale and Treasurer's deeds. She said the list had been compiled by County Manager Montoya, County Attorney Benning, Assessor Anne Schafer and Senior Planner Stephen Strohming with the intent to put the parcels up for sale via an internet auction. Treasurer Lorenz proposed a contract with SRI, the company that currently conducts the online tax lien sale. The list of properties will be advertised in *The Weekly Register-Call* and will be posted on the County's website with a link to a map showing each parcel's location. If a website user clicks on a particular property, it will automatically link to the map. Restoring these properties to private ownership could increase revenues to the County and to special districts, such as Timberline Fire Protection District. The sale could generate approximately \$66,870.00. Senior Planner Stephen Strohming then shared onscreen a starting list of 17 properties and demonstrated their links to the map.

Discussion followed regarding some changes that needed to be made to the proposed contract with SRI, and some properties that could be beneficial to emergency first responder agencies, and others that could provide the County with right-of-way. It was agreed that three of the 17 properties would be held for further discussion.

Commissioner Hollingsworth moved to have the County enter into a contract with SRI for internet auction services for 14 properties once the necessary changes have been made, and the step for Board of County Commissioners review is added. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 0, as Commissioner Sill was not present yet.

**Preview of Format for Request for Proposals for Grant-Funded Building Improvements at the Community Center and Apex Facility.** Commissioner Sill joined the meeting during this item, while Facilities Manager Ryan Keenan screen shared the draft format of the requests for proposals (RFP) and gave overview of two projects that could be funded by a Go Colorado (GOCO) grant. County Manager Montoya noted the GOCO grant amount was approximately \$85,000.00, and that separate contractors could apply for certain sections of the projects for improvements at the Community Center and the Apex facility. Each project will have walk-through dates and detailed communications with contractors about details such as fencing, etc. Per the grant, the work must be completed by June of 2022. More information will be presented to the Board as it becomes available.

**Recess** from 10:50 to 11:00 a.m.

**Trout Unlimited Abandoned Mine Update.** Lauren Duncan, Abandoned Mine Restoration Project Manager for Trout Unlimited (TU), gave a PowerPoint presentation highlighting the work TU has done within Gilpin County to restore abandoned mining site, particularly those that leach toxic materials into waterways. TU is a national organization based in Arlington, Virginia, through state and volunteer chapters. Grant funding is provided by private parties and state and federal agencies, plus mining partners. Work is done with Good Samaritan groups and legislation is needed to support those groups and to strengthen the Clean Water Act. The legislation could help with increased funding, would create jobs with local contractors and would help provide materials for projects. Restoration Project Manager Duncan asked the Board if they would send a letter of support to US Senator Bennet, US Senator Hickenlooper and Congressman Joe Neguse. The Board agreed to review a draft letter and send it as requested.

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

- Culvert Agreement on Willow Lane. An agreement between four property owners has been drafted to address the need for the placement of an additional culvert on Willow Lane to mitigate some runoff and silting problems. After brief discussion, Commissioner Sill moved to approve the Willow Lane Agreement, including indemnification. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.
- Library Intergovernmental Agreement. The item will be removed from today's agenda to allow Library Director Michael Carlson time talk with the Library Board of Trustees about it.

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

Discussion of Gilpin Ambulance Authority. County Manager Montoya has talked with the city managers of Black Hawk and Central City regarding cost sharing for solutions to remodeling the mezzanine at the Apex facility where the Gilpin Ambulance Authority is housed. The projected total cost is approximately \$60,000.00 and would be split using the existing GAA Intergovernmental Agreement financial formula and the call volume for each jurisdiction. Once the floor renovations have been completed, Gilpin Ambulance Authority would move to the first floor and the County's People, Culture and Finance offices would move to the second floor. County Manager Montoya agreed with the Board that the cost sharing needed to be memorialized in some way, and said he would draft an email to Gilpin Ambulance Authority and the cities of Black Hawk and Central

City, to be kept in the County's records. Commissioner Hollingsworth asked if the cities' replies would also be kept in the records? County Manager Montoya said yes, both responses would indicate that both Councils were in agreement with the plan. Commissioner Sill said copies of the emails should be attached to the minutes for today.

Hybrid Telecommuting. A hybrid work solution will begin on June 1, if the Board formalizes the plan for employees to be in office two days per week. Also on June 1, the Board will conduct their public meeting in-person at the Courthouse, but will also keep the Zoom option available for public participation. County Manager Montoya said there would be no need for laptops in the meeting, as the OWL system takes their place and cuts back on feedback. Based on the vaccination percentage requirement, 80% of attendees have to be fully vaccinated in order to not wear masks.

American Rescue Plan Act. Gilpin County has submitted an application for and will receive approximately \$1.2 million through the American Rescue Plan Act. The US Treasury sent out guidance that includes only two restrictions: a recipient can't save the money (it must be spent before 2024), and it can't supplant taxes, meaning the County can't give a tax rebate to property owners. The funds are authorized to be used for employment purposes, creating jobs, administering payroll and any other needs based on lost revenues, and the County would not be required to have a separate bank account. Treasurer Mary Lorenz and Finance Director Clorinda Smith are working on this. The Commissioners agreed to set up a line item for these funds in order for Gilpin County to account for how the American Rescue Plan funding was spent, allowing the County to follow the US Treasury's rules.

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

Notice of Public Meetings. The Board's upcoming public meetings that could be attended by more than one Commissioner and at which public business may be discussed will include: the five-county commissioners' and legislators' monthly breakfast on May 26; the Alps Hill site visit on May 28; regular Board meetings on June 1 and 15; and two walkabouts next week.

Planning Commission Resignation. Deputy Clerk Sharon Cate informed the Board that Planning Commission member David Seitsema had tendered his resignation. Commissioner Hollingsworth moved to regretfully accept Mr. Sietsema's resignation. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Trail Courtesy Educational Kiosk. Commissioner Hollingsworth spoke about an event to be held on June 6 at the East Portal of the Moffat Tunnel to teach the courteous use of trails. The multi-county pilot project is sponsored by FRONT and Toyota and the event will be coordinated by various land management agencies, such as NOCo 2050, Colorado Parks and Wildlife, the US Forest Service and others. Commissioner Sill moved to approve the efforts of the trail courtesy campaign and the pilot project. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Colorado Communities for Climate Action. Jacob Smith, Executive Director of Colorado Communities for Climate Action (CC4CA), screenshared a presentation on CC4CA's efforts throughout the state, and spoke about upcoming opportunities to address climate change, including some state legislation. Commissioner Hollingsworth said she was excited about Xcel Energy's plans to greatly increase the number of charging stations for hybrid and electric vehicles within many communities.

### **Minutes.**

Commissioner Hollingsworth moved to approve the Board of County Commissioners Meeting Minutes for May 4, 2021. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Recess to Work Sessions.** At 12:45 p.m., Commissioner Sill moved to recess into work sessions that will begin at 1:00 p.m. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. At 1:00 p.m., the Board began three work sessions:

- Colorado Department of Transportation for a General Update
- Jeanne Nicholson, Vice President of Gilpin County Senior Living
- County Manager Abel Montoya to further discuss the Grave Compensation Study, including information on some key vacant job positions the Board will consider filling.

**Reconvene as Board of County Commissioners.** At 3:28 p.m., Commissioner Sill moved to reconvene as the Board of County Commissioners. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

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

**Consideration of Changes to Gilpin County Public Health Order #20-05.** Public Health Coordinator Bonnie Albrecht spoke about the change to the State's mask order to no longer requires masking for large indoor groups, and about exceptions for certain groups of people. She said these changes are confusing to people who don't realize that local jurisdictions and businesses can enact tighter restrictions through public health orders (PHO) than the State. Jason Gumer, of the Monarch Casino, joined the discussion and said their business was still enforcing the wearing of masks in the casino, but that it was very difficult.

Lengthy discussion followed, with the Board agreeing to focus on local rules regarding staff interactions with the public on County property, and on the fine of \$5,000.00 and/or jail time. They also agreed that matching the State order, except on County property, might be best.

Commissioner Sill moved that the Board of Health not make any changes to PHO #20-05, but for PHO #21-02 to follow the State's mask order and to change (lower) the fine by half to \$2,500.00, and no jail time. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

As to PHO #21-02, Commissioner Sill moved to follow the state mask order. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. County Attorney Benning said this change will be titled the Second Amended PHO #21-02. County Manager Montoya will send an email to all staff.

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

**Consideration of Staffing Changes.** County Manager Montoya discussed a list of several positions he would like to add to the current staffing level that would be paid for by the first installment of the American Rescue Plan Act. The County anticipates receiving \$1.2 million in two payments, and the funds must be spent by 2024.

Commissioner Hollingsworth said she saw three separate parts of today's discussion: 1 is the Graves study, 2 is the 2% or 3% bonus to staff, as she questions its equity and 3 is the proposed list of job positions to be added. Discussion followed on the best way to spend the funds without creating an unfunded problem in the future. Commissioner Hollingsworth moved to approve hiring the 12 positions. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 0, with Commissioner Sill abstaining and saying he was opposed to not tying all three pieces together.

**Adjourn.** There being no further business to come before the Board, they adjourned at 5:08 p.m.

Signed this 15<sup>th</sup> day of June 2021.