

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

August 3, 2021

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 3, 2021, at the Gilpin County Old Courthouse and online. Chair Linda Isenhart called the meeting to order at 9:00 a.m. In attendance were Chair Isenhart, Commissioner Sandy Hollingsworth, Commissioner Web Sill, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

Agenda Review. Commissioner Isenhart added 20 minutes of discussion time to the Family First Forum Differential Response.

Reading of Dedication of Allen Memorial Arena. Sheriff Armstrong read the dedication that had been given at the Gilpin County Fair, for the Allen Memorial Arena in memory of Cody and Shelby Allen. These two local firefighters dedicated much of their time to the care of the arena and to activities there, including teaching and mentoring young people. They loved riding their horses at the arena and volunteered many hours with the Gilpin County Animal Response Team (GCART). Cody and Shelby Allen were sterling examples of commitment to serving their community.

The Board of County Commissioners recessed and convened as the Board of Equalization. Assessor Anne Schafer gave an overview of the property valuation protest process, and explained that an independent appraiser serves as the Hearing Officer who makes recommendations to the Board on each protest. (The Board of Equalization's decisions are recorded in a separate legal document available through the Clerk and Recorder's Office.)

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

Consideration of Public Health Order. The Board of Health (BOH) was joined by Public Health Director Dr. Dawn Comstock, Public Health Coordinator Bonnie Albrecht who said Gilpin County has recorded six new cases of COVID-19 in the past seven days, a high number for this small community. The CDC, Dr. Comstock and Coordinator Albrecht are recommending that masks be worn indoors. Additional points of discussion included:

- The numbers of illnesses, hospitalizations and deaths are increasing, particularly among the unvaccinated population. 98% of new cases are due to the Delta variant.
- Data on Jefferson County was given; Dr. Comstock urged the Gilpin County BOH to require their employees to demonstrate that they pose no risk to others by showing proof of vaccination or by doing weekly testing.
- Resident Jerry Yocom agreed with the recommendation to require masks and said it should include local schools. Dr. David MacKenzie, Superintendent of Gilpin County RE-1 Schools said he was appreciative of local decisions and at the schools, and that the School Board had not acted officially regarding masks.
- Gilpin County Attorney Benning said the current public health order #21-02 would expire on August 15, 2021, and that a new Order would be needed, or extension of the current Order.
- Much discussion ensued about varied views on masks, vaccines, testing and the rapid spread of the Delta variant.

Based on Public Health recommendations, Commissioner Hollingsworth moved to approve Public Health Order #21-03, which includes the following:

- that masks be required for County employees and the public inside Gilpin County-owned buildings
- that masks be required for County employees when interacting with the public outdoors when a distance of six feet cannot be maintained.
- that County employees showing proof of vaccination are not required to wear masks, but they ~~can~~ may choose to
- that unvaccinated employees are required to wear masks and that weekly testing will be implemented.

Commissioner Isenhart seconded the motion, which passed by a vote of 2 to 1, with Commissioner Sill voting against. Public Health Order #21-03 becomes effective on August 15, 2021.

COVID-19 Update.

Emergency Manager Nathan Whittington:

- The Gilpin County Office of Emergency Management (OEM) has received two donations that will help offset some COVID expenses: \$9,000.00 from the Alan Green Foundation, and \$3,800.00 in RETAC Funds.
- 640 of the 15-minute COVID-19 rapid test kits have been ordered and can be self-administered. Emergency Planner Diane Stundon will lead this effort as the point of contact.
- As to the new public health order, who will track tests results and what are the next steps following a positive test? These procedures need to be implemented now.
- One reply was that currently the policy is that those with a positive test would isolate for 10 days.

The Board of Health adjourned and reconvened as the Board of County Commissioners.

Introduction of Human Resources Director David Woodlock. The Board welcomed new Human Resources Director David Woodlock, noting he worked with Molson Coors' 175 employees. Director Woodlock said he was honored to join the Gilpin County team, that he has worked for seven years in human resources and is an Army veteran. County Attorney Benning thanked him for his service to our country.

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

Public Hearing—Board of Adjustment Variance Request, BOA #21-3. At 10:49 a.m., Chair Isenhart opened the public hearing for a variance request for Lorraine Nelson, 370 Hacker Drive; the applicant participated in the public hearing online via Zoom. County Planner Tami Archer presented the applicant's request for relief from property line setback requirements to allow for the construction of a living room, which would encroach into the required 30-foot setback by 4.1 feet. Staff recommended approval based on the small encroachment, and the agreement with variance by the one affected adjacent property owner. Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed that portion of the hearing.

Commissioner Sill moved to approve, BOA #21-3, for Lorraine Nelson, 370 Hacker Drive. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. Chair Isenhart 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.) The Board of Adjustment adjourned and reconvened as the Board of County Commissioners.

Election Intergovernmental Agreements. Clerk and Recorder Sahari McCormick presented intergovernmental agreements (IGA) with the City of Black Hawk, the City of Central, and the Gilpin County RE-1 School District, for participation in a coordinated election. The IGAs list the duties of each entity and include costs for anticipated expenses. Commissioner Sill moved to approved the Election IGA between Gilpin County and the City of Black Hawk. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. Commissioner Sill moved to approve the Election IGA between Gilpin County and the Gilpin County RE-1 School District. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. Commissioner Sill moved to approve Election IGA between Gilpin County and the City of Central. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Public Works New Hire Pay Increase. Public Works Deputy Director David Rich proposed hiring an Equipment Operator 2 at the increased rate of \$21.00 per hour, as the applicant has a Class 2 commercial driver's license and is proficient on three types of equipment. After discussion of the distinction between Operator 1 and Operator 2, Commissioner Sill moved to approve hiring the applicant at \$21.00 per hour as an Operator 2. Commissioner Isenhart seconded the motion, which failed by a vote of 1 to 2, with Commissioner Hollingsworth and Commissioner Isenhart voting against. Commissioner Hollingsworth moved to approve hiring the applicant as an Operator 1 matching the advertised job posting at rate of \$21.00 per hour. County Attorney Benning said the safest course was to proceed with what was published, which was the Operator 1 position. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Repair or Replacement of Motor Grader. Public Works Deputy Director David Rich informed the Board of the need to either replace or repair one of that department's motor graders. He explained that the repair costs are almost as high as the value of the machine and that it could be sold at auction for \$35,000.00 or \$40,000.00, which could help with the purchase of a used or new machine. Discussion followed regarding the optimum number of motor graders to have in the fleet and how many operators were currently on staff. Commissioner Hollingsworth asked about the benefits of leasing versus purchasing. Commissioner Sill suggested that a decision be postponed pending more data.

Facilities Maintenance Items. Facilities Manager Ryan Keenan presented the following:

Requests for Proposals (RFP). All four of the County's current RFPs have expired and three of them need to be updated and reissued. The fourth is for the Apex Facility mezzanine, which will be administered differently.

- The Board agreed to repost the RFPs for jail showers repair and the Treasurer's Office enclosure.
- Work at Parks and Recreation will be reposted; the GOCO grant deadline has been extended to May 1, 2022.

Roofs at Justice Center and Community Center. Manager Keenan has been working with Concise Construction whose report has identified the most urgent needs on the two roofs, and noted they both have about five years left, in general. He asked the Board if he should pursue an agreement with Concise Construction as an urgent need prior to winter. Commissioner Sill moved to authorize expenditures up to \$40,000.00 for the repair of the Community Center and Justice Center roofs, and to offer Concise Construction the right of first refusal for free inspections for the foreseeable future. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Senior Living Land Lease. Former Commissioner and Senator Jeanne Nicholson and Rob Sawyer were present on behalf of Gilpin County Senior Living (GCSL) to ask about the status of a land lease agreement between the County and their organization. County Attorney Benning explained that Gilpin County is still revising the lease agreement, as it would be a 10-year period that the property would be locked up, which needs to be modified. He hopes to

have the agreement to GCSL before the end of the month for discussion, then finalize it in September. Senator Nicholson told the history of seniors being forced out of their housing by the onset of gaming in 1990, and of a senior housing assessment performed in 2011. She implored the Board to sign the lease so GCSL can move forward.

Family First Forum, Differential Response. Human Services Director Laura Solomon stated that Gilpin County and most other Human Services departments in Colorado have been using Differential Response increasingly since 2009, as a better method of assessing child protection cases. Under Differential Response, families are not automatically separated as they were years ago. After Director Solomon introduced her staff that work on child protection cases, each of them spoke about various aspects of Differential Response and why they believe it is a vast improvement over previous methods. They gave several generic examples of better ways of working with families based on the family's needs and on safety for children.

Director Solomon said there is state funding available for supplies and food for children depending on the emergency, through the Child Welfare Block Grant. As to working on referrals of unhoused people in the County, if it is a case of adult protection there are criteria in place for the County to help them, but being unhoused does not in itself meet the criteria. If the referred adult does not want help, Human Services cannot take any action.

Recess. The Board recessed from 12:20p to 12:30 p.m.

Local Liquor Licensing Authority. The Board of County Commissioners recessed and convened as the Local Liquor Licensing Authority.

Deputy Clerk Sharon Cate presented an annual renewal application for the retail liquor store license for Pickle Liquors, LLC, dba Pickle Liquors, located at 661 Highway 46, with a current expiration date of August 27, 2021. Commissioner Hollingsworth moved to approve the application at the local level, as presented, with a new expiration date of August 27, 2022. 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 Local Liquor Licensing Authority and reconvene as the Board of County Commissioners. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Proposed Resolution #21-09, Supporting Updates to the Colorado Communities for Climate Action Policy Statement. Gilpin County is a member of Colorado Communities for Climate Action (CC4CA), a group of 39 local governments across the state advocating for stronger state and federal climate policy. The Board discussed CC4CA and the June 2021 updates to its policy statement. Commissioner Hollingsworth moved to adopt Resolution #21-03, "Supporting the June 2021 Updates to the Colorado Communities for Climate Action Policy Statement." 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:

- A Memorandum of Understanding (MOU) with the Friends of the Community Center is a draft guidance document and will be written similar to a contract to outline policies for the Center, and to make the Parks and Recreation District able to accept donations. The MOU will be presented at an upcoming Board of County Commissioners meeting.
- The Lake Gulch Road Agreement with the City of Black Hawk is complete, but more work remains with the City of Central, as a portion of the road lies within the Central City boundary.
- County Attorney Benning will be hiring a paralegal very soon.
- The pump in Dory Lake, where Gilpin County stores some water, malfunctions occasionally, so County Attorney Benning will look into applying for a grant from the Colorado Water Conservation Board to help with the cost of installation of a new pump.

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: August 17, work with Colorado Senator Tammy Story and Representative Judy Amabile on the FAA plane noise; August 19, the Colorado Counties, Inc., Mountain District meeting at the Gilpin County Old Courthouse; and on August 26, the Gilpin County employee picnic. The Board's August 24 meeting has been canceled.

Support Letter for Belvidere Theater Foundation. Commissioner Sill moved to approve Gilpin County's letter of support for the Belvidere Theater and the Belvidere Foundation Board's application to the Boettcher Foundation for a grant which will help restore the theater, an important part of Gilpin County and Central City's history. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Nomination for County Representative on FRETAC. Commissioner Isenhardt has served as a representative for Gilpin County on the Foothills Regional Emergency Medical and Trauma Advisory Council (FRETAC) for some

time, and today stated that a new member with expanded experience is needed. Commissioner Hollingsworth moved to nominate Diane Stundon as Gilpin County's representative on FRETAC. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Boundary Lines Survey in Rollinsville. A Gilpin County property owner is concerned about unclear boundary lines shared with some County-owned property in the Rollinsville area. Commissioner Hollingsworth asked if Gilpin County will pay for all or part of a land survey to verify County property lines. County Planner Tami Archer said she has a survey from the property owner that indicates pins and coordinates to his benefit, and therefore recommends that the County Surveyor should survey only the County's interests. After discussion, the Board agreed that County Attorney Benning should look into the situation and give them his recommendation at a future meeting.

Simplified Volunteer Application. Some County departments have been using different types of volunteer applications, but the Human Resources staff will work toward creating a more standardized form for all departments. County Attorney Benning noted that the County's insurer, County Technical Services, Inc., has provided a file, and he will work to incorporate into it all pertinent sections of the currently used forms. The goal is to have a bank of volunteers in place and registered in the system for expediency.

Discussion of Implementation of Graves Salary Study. The 2019 Graves Salary Study was presented to the previous Board in March 2020, but the pandemic began and the County was not able to approve it or implement salary changes at that time. Today, the Board discussed and agreed to a low-cost update to the study, and to include some new job descriptions created since 2019. They plan to implement the updated study in January 2022, which will hopefully help retain current staff and attract applicants for vacant positions. The Board thanked all Gilpin County employees and assured them they are working to improve salaries.

Minutes. Commissioner Sill moved to approve the Board of County Commissioners Meeting Minutes for July 20, 2021. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Adjourn to Executive Session. At 1:13 p.m., Commissioner Hollingsworth moved to adjourn into Executive Session as follows:

- for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e);
- to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a);
- for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b);
- for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(l) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Commissioner Sill seconded the motion, which passed by a vote of There being no further business to come before the Board, they adjourned at 1:15 p.m.

Signed this 03rd day of September 2021.