

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

November 9, 2021

A regular meeting of the Board of County Commissioners of Gilpin County was held on November 9, 2021, in an online format only; no in-person meeting was held. 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.** A discussion of the distribution of ARPA funds was added to the agenda.

**Public/Press Comment.**

Bill Merline, 86 Spruce Way, in favor of approving the recommended address change included in Boundary Line Adjustment (BLA) #21-5.

John Dunham 48 Warren Rd, not in favor of Public Health Order #21-04, requiring masks at the Gilpin County RE-1 School.

**COVID-19 Update.**

Public Health Coordinator Bonnie Albrecht:

- 23 cases in last 7 days including 1 hospitalization
- 67.3% of eligible residents are fully vaccinated
- 144 kids were vaccinated at Community Center clinic on Saturday

Testing:

- Tuesdays, 9a-12p, Z Casino parking lot, and 12:30p to 4:30p at the new Public Health/Human Services building.

Vaccine clinics through November:

- Wednesdays, 10a to 2p at the Gilpin County Library
- Saturdays, 9a to 3p at the GC Community Center
- November 18, 3p to 7p at the Gilpin County RE-1 School

Emergency Manager Nathan Whittington:

- finishing a supply order for the Community Center to keep the facility clean
- Information should be available in mid-December about the fourth round of Corona Virus Relief Funds (CVRF), administered by the Colorado Department of Local Affairs (DOLA).

**Public Health Purchase of Services Agreement.** Public Health Coordinator Bonnie Albrecht presented an agreement with Jefferson County Public Health to provide a public health service program, including all core public health services, to Gilpin County during calendar year 2022. She said the Agreement was essentially the same as in years past, with updated costs. Commissioner Hollingsworth moved to accept the Purchase of Services Agreement with Jefferson County for public health services, in the amount of \$355,000 for labor costs covered by grants through December 31, 2022. Commissioner Sill seconded the motion, which passed by a vote of 2 to 1 with Commissioner Sill voting against.

**Human Resources Items.** Human Resources Interim Director Susie Allen presented the following:

- Proposed 2022 Pay and Step Plans for Gilpin County Employees. The previously approved Graves Salary Study was not implemented in 2020, and was therefore updated in 2021, including a Step Plan for law enforcement positions. The Pay Plan and Step Plan are in line with current market data, and need to be approved for implementation in 2022, which will be performed in stages. Commissioner Sill moved to approve the 2022 Pay and Step Plans as presented effective January 1, 2022. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.
- Out-of-Title Pay for Accounts Payable Specialist. An accounts payable specialist was hired for a combined job to include 20% Human Resources (HR) tasks and 80% accounts payable tasks, but due to a vacancy in Human Resources, this employee is working mostly in that department. Per the Employee Handbook, the differential in pay is due to this employee, hopefully only through the end of the year. Commissioner Hollingsworth moved to approve the out-of-title pay for the Accounts Payable Specialist at the Human Resources Information Specialist minimum rate of \$23.93 per hour until this position is filled. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

- Extending Interim Finance Director Pay through December 31, 2021. The finance director position will be readvertised beginning next week, so the current interim director's pay needs to be extended until the position is filled. Commissioner Sill moved to extend the current interim finance director's pay until the position is filled. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.
- Resolution #21-13, Designating Paid Holidays for Gilpin County Employees. The Columbus Day holiday has been replaced by Frances Xavier Cabrini Day, and should be moved from the second Monday in October to the second. Commissioner Hollingsworth moved to adopt Reso #21-13, "Designating Paid Holiday for Employees." Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Boundary Line Adjustment (BLA) #21-5.** County Planner Tami Archer presented a boundary line adjustment application for William Martin and Christine Herdegen, LLC, for two adjacent lots in the Sunrise Heights Subdivision, addressed as 70 Blue Spruce Road, and 108 Spruce Way. The proposed realignment would encompass the onsite wastewater treatment system for Parcel 2 inside that property's boundaries, instead of on Parcel 1, as it currently is. No new parcels would be created by this boundary line adjustment. Sometime in the past, the addresses were unofficially changed, creating a problem for emergency responders and others. If approved, the legal descriptions will change, as will the addresses. Commissioner Sill moved to conditionally approve BLA #21-5, for William Martin and Christine Herdegen, LLC, with current Parcel 1 to be renamed Lot 2, and to be addressed as 21 Breezewood Lane, and that directional signage be added at the beginning of the private drive. (Current Parcel 2 will be renamed Lot 1.) Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Public Hearing—Resolution #21-14, Revision to Section 4.12 of Gilpin County Zoning Regulations.** Chair Isenhardt opened a public hearing at 10:04 a.m. for Resolution #21-14, to consider proposed revisions to Section 4.12—Outdoor Lighting Regulations—of the Gilpin County Zoning Regulations. County Planner Tami Archer presented the revised section, saying it had been addressed and unanimously approved by the Gilpin County Planning Commission. Chair Isenhardt opened the hearing to public comment.

- Bill Merline 86 Spruce, Way, expressed strong support of the proposed revisions.
- Caroline Collins Petersen, 1429 Wedgewood, expressed support for most of the proposed revisions.
- Donna Okray Parman 529 Highpoint Circle, expressed general support of the proposed revisions.
- Greg Marquez, 178 Upper Travis Gulch Road, expressed support of the proposed revisions.

Following public comment, Chair Isenhardt closed the hearing to public comment. Following discussion, Commissioner Hollingsworth moved to continue the public hearing to December 7, 2021, for Resolution #21-14, "Revisions to Section 4.12 of the Gilpin County Zoning Regulations." Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 1, with Commissioner Sill voting against. Chair Isenhardt closed the public hearing at 10:35 a.m. (The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder's Office.)

**Clerk and Recorder's Monthly Report.** Chief Deputy Clerk and Recorder Ashley Martin reported on operations in that office for the month of October 2021, including revenue variances as compared to the same month in 2020 and 2019, and a status report on the motor vehicle division. Clerk and Recorder Sahari McCormick said there was only a 40% return of ballots in this year's election, much lower than usual.

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

**Liquor License Transfer Application—Mid County Liquor.** Chief Deputy Clerk Ashley Martin and Deputy Clerk Sharon Cate presented an application for the transfer of the retail liquor store off-premise license to MKM Hospitality, LLC, Mary Kate McKenna, dba Mid County Liquor, located at 17218 Highway 119. Sales are currently being conducted under a Temporary Liquor Permit approved by the Local Liquor Licensing Authority on October 12, 2021. Commissioner Hollingsworth moved to approve the transfer application at the local level to MK dba Mid County Liquor. 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.

**American Rescue Plan Act (ARPA) Funding.** The Board discussed the American Rescue Plan Act (ARPA) funds that had been allocated to Gilpin County, and the amounts they wanted to pass on to entities who had requested funds. Commissioner Hollingsworth moved to approve the following payouts from the Gilpin County ARPA funds:

- \$100,000.00 to Clinica Health Clinic
- \$50,000.00 to Eagles' Nest Early Learning Center
- \$100,000.00 to Gilpin Ambulance Authority
- \$25,000.00 to the *Mountain-Ear Newspaper*
- \$40,000.00 for Gilpin County's REDI grant match
- Plus, an estimated \$559,393.52 will be retained by Gilpin County for hiring back staff, for the years 2021 to 2023.

Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Legal Status Report.** County Attorney Bradford Benning advised the Commissioners on the following legal issues: zoning cases in process; a claim by a family to some County owned property; new legislative bills that could affect counties; a driveway and retaining wall built in the Linwood Drive right of way; the Dakota Hill communications tower site; and some public health updates.

#### **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: a Scenic Byways meeting on November 16; a regular Board meeting on November 23; and the Colorado Counties, Inc. (CCI), Winter Conference, November 29—December 1.

Discussion of 2021 Conference Fees. The 2021 budget includes \$500 in the Board's budget and \$500 in the County Manager's budget for registrations for meetings. In discussion, the Board agreed to use these funds to pay for Commissioner Isenhart and Commissioner Hollingsworth to attend the 2021 CCI Winter Conference.

Discussion of Holiday Party for Gilpin County Employees. This topic will be discussed first with the County's Senior Leadership Team, then will be added to a future Board agenda.

Discussion of Changes in DOLA Local Government Limited Gaming Fund (LGLGF) Grant Awards. Gilpin County's total limited gaming grant award to be received in 2022 will be \$580,246.00, with \$4,220.00 left over to allocate to other entity recipients. After discussion, Commissioner Hollingsworth moved to allocate the full \$4,220.00 of one-time extra LGLGF fund to Eagle's Nest Early Learning Center. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Commissioner Comments. Commissioner Hollingsworth thanked Emergency Manager Nathan Whittington and Deputy Emergency Manager Diane Stundon for Red Cross community training for over 40 people. At the end of the class, the Red Cross gave an evacuation supply trailer to Gilpin County, which Manager Whittington had been working to procure.

Veterans Day Luncheon. Commissioner Hollingsworth also mentioned that for the Archwood 4H Veterans Day luncheon at the Exhibit Building on November 11, 150 burgers have been donated, and VFW members will serve lunch to other Veterans.

Power Generator at Gilpin County School RE-1. Sheriff Armstrong informed the Board that on November 5, there was a ribbon-cutting ceremony for the new \$1 million power generator at the school, which will provide full capacity power in an outage or other emergency. The school is an emergency shelter, and this project has been in progress for five years. Sheriff Armstrong thanked all who were involved.

#### **Minutes.**

Commissioner Sill moved to approve the Board of County Commissioners Meeting Minutes for October 12, 2021. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Recess to Break and Work Session.** The Board recessed to take a 30-minute break, then hold a work session on their COVID-19 testing policy for all Gilpin County employees.

**Executive Session.** Commissioner Hollingsworth moved to adjourn into Executive Session 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). Commissioner Isenhart seconded the motion, which passed by a vote of 2 to 0, as Commissioner Sill was out of the room.

**Regular Session.** The Board reconvened their regular session to discuss a property claim discussed in Executive Session.

**Quit Claim Deed for Nord Family Property.** The R&B Nord Trust has requested that the County quitclaim to them a portion of the Mackey Placer mining claim located on Apex Valley Road, west of Silver Creek Road. The Nords have been paying taxes on the parcel since 1982, and ownership is not clear. Commissioner Sill moved to approve executing a Quitclaim Deed to the R&B Nord Trust for a portion of the Mackey Placer Mining Claim as described in the Quitclaim deed presented by R&B Nord Trust, subject to the County Attorney's confirmation with the R&B Nord Trust's attorney that this results in a full and final settlement between the parties. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Adjournment.** There being no further business to come before the Board, they adjourned at 2:58 p.m.

Signed this 07<sup>th</sup> day of December 2021.