

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

February 1, 2022

A regular meeting of the Board of County Commissioners of Gilpin County was held on February 1, 2022, in an online format only; no in-person meeting was held. Chair Sandy Hollingsworth called the meeting to order at 9:00 a.m. In attendance were Chair Hollingsworth, Commissioner Linda Isenhardt, Commissioner Web Sill, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Introduction of New Staff.** Commissioner Hollingsworth introduced Administrative Analyst Sam Bower, Assessor's Office Assistant Julie Hunt, and Public Health Coordinator Alisa Witt. The Board welcomed them all.

**COVID-19 Update.** Emergency Manager Nathan Whittington gave a detailed report on current local statistics.

- 22 confirmed and probable cases in the past 7 days.
- One-week positivity rate is 15.8%.
- No new hospitalizations or deaths in the past 7 days.
- 63.7% of residents age 5+ are fully immunized.
- Vaccination sites: Library, Wednesday, 10:00 a.m. to 2:00 p.m. and Community Center, Saturdays 9:00 a.m. to 3:00 p.m. Appointments are no longer required.
- Public testing sites: Public Health building, Tuesdays 11:30 a.m. to 3:30 p.m. and Public Health building, County employees only, Wednesdays, 12:00 p.m. to 2:00 p.m.

Emergency Manager Whittington also informed the Board that the US Forest Service and Timberline Fire Protection District will burn large piles of cut trees on Highway 119 by the Cold Springs Campground and in the Lump Gulch area. The current weather is conducive to this activity and smoke will likely be visible for a few days. Also, Colorado Parks and Wildlife will conduct a similar burn in Jefferson County.

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

**Revision of Public Health Order #22-01, Public Indoor Spaces Mask Mandate.** Gilpin County Public Health Director Dr. Dawn Comstock screen shared current data on COVID-19 case counts, positivity rates, hospitalization, deaths, etc., noting all factors have been rapidly decreasing. She said there had been breakthrough cases of the Omicron variant, but added that the vaccine helps lessen the severity of illness. She also noted that flu shots are recommended and can be taken in conjunction with a COVID vaccination or booster shot. Dr. Comstock's additional recommendations included:

- End the requirement for unvaccinated employees to undergo weekly testing.
- The current public health order requiring masks in public indoor spaces should be extended until the end of this week (February 4) or the end of next week (February 11), and if the downward trends continue, the mask mandate could be ended.

The Board discussed waiting until their next regular meeting on February 15, 2022, to end the mandate.

Commissioner Isenhardt moved to rescind Public Health Order #22-01, but to leave the choice of requiring masks to employers, to keep the mask mandate in place at County facilities through February 15, to keep the mask mandate in place at the Gilpin County RE-1 School through February 15, to no longer require unvaccinated County employees to be tested, to continue to make County employee testing available at the Justice Center, and to highly encourage all employees and residents to continue to use vaccination and testing opportunities. Commissioner Hollingsworth seconded the motion, which passed by a vote of 2 to 1, with Commissioner Sill voting against.

**Board of County Commissioners.** Commissioner Isenhardt 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.

**Sheriff's Office 2021 Annual Report.** Sheriff Kevin Armstrong reported on operations within the Sheriff's Office for the year 2021. Of particular note in the report was 91% of arrests (contacts) were related to the gaming industry.

**Treasurer and Public Trustee Reports.** County Treasurer and Public Trustee Mary Lorenz gave the following reports:

Treasurer—December, 2021. The report included December 2019 pre-pandemic totals, 2020 pandemic totals and current totals in 2021. Property tax payments are coming in.

Public Trustee—Fourth Quarter 2021. There were no questions and Commissioner Isenhart moved to accept the Public Trustee fourth quarter report. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Local Liquor Licensing Authority.** Commissioner Isenhart 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.

**Application for Extension of Temporary Liquor Permit.** Chief Deputy Clerk Ashley Martin requested an extension of the Temporary Liquor Permit for MKM Hospitality, LLC, dba Mid County Liquor, located at 17218 Highway 119. MKM Hospitality, LLC, filed a transfer application with the County and State, and on October 12, 2021, Gilpin County granted a Temporary Liquor Permit with an expiration date of February 9, 2022. The State has yet to rule on the application, so a sixty-day extension of the Permit, as allowed by the Liquor Code, was needed. Commissioner Sill moved to approve the request for an extension of the Temporary Liquor Permit for MKM Hospitality, LLC, with a new expiration date of April 10, 2022. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Board of County Commissioners.** Commissioner Isenhart moved to adjourn as the Local Liquor Licensing Authority and reconvene as the Board of County Commissioners. 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:

Toll Trail Intergovernmental Agreement (IGA) with Boulder County. Minor revisions were made to the IGA since it was last heard on January 18, 2022, ensuring there is no impact to the Gilpin County Sheriff's Office and first responders within Gilpin County. Parking areas were also addressed. Commissioner Isenhart moved to approve the IGA between Boulder County and Gilpin County Regarding Enforcement of the Rules and Regulations for the Toll Trail. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Building Code/Zoning Regulation Violation Case—Pioneer Investments, LLC. A settlement has been achieved in this case regarding a structure constructed within the property line setback area. If the owners remove the shed, they can avoid fines.

Trash Ordinance Violation Case—Yasmine Ford, 20 Pitts Place. Gilpin County is working with the property owner on a settlement agreement to allow for trash clean-up. There are some trash containers on the property and Public Works is available to help. If compliance is not reached, the case will go to court.

#### **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: Timberline Fire Protection District Board of Directors on February 8, Frei Quarry Tour on February 9, and next Board of County Commissioners meeting February 15.

#### Commissioner Updates.

- Gross Dam Expansion. The Board will meet sometime soon with officials from Black Hawk, Central City, and Denver Water to discuss the transport of trees removed from the expansion area. Local entities do not want haul trucks to go through the two cities in Gilpin County.
- FAA Comment Period. A public comment period has opened regarding air traffic noise over Gilpin County, with comments due by February 25. The comment link will be posted on the County's website.
- Gilpin County is in receipt of a Colorado Department of Local Affairs (DOLA) grant in the amount of \$929,786.00 for the new Public Health and Human Services Building. The County is very appreciative of this grant.
- The Board's Work Plan for 2022 discussion will be scheduled this week.
- Clinica, a new healthcare clinic coming soon in the County, will be hiring an operations manager, with recruitment information available on their website.
- Affordable housing is on the Board's project list to be addressed after a County Manager and Community Development Director have been hired. Input from residents will be needed.

Commissioner Comments. Commissioner Hollingsworth said the Board's thoughts are with the family of Joe Stevenson, a Montezuma County Commissioner who passed recently from COVID.

**Minutes.** Commissioner Sill moved to approve the Board of County Commissioners Meeting Minutes for January 18, 2022. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.** CSU Extension Director Jennifer Cook announced that she will be partnering with the Office of Emergency Management to hold a workshop on wildfire and watersheds, and how they relate. It will be on February 3 at 5:00 p.m. at the Gilpin County Library. Attendance is in person or online, with a link available on the Library's website.

**Adjourn to Executive Session.** Commissioner Isenhart 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) regarding the Frei Quarry, the County Manager position, and the Dakota Hill Communications Tower Site. Commissioner Sill 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 10:37 a.m.

Signed this 15<sup>th</sup> day of February 2022.

ATTEST:

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Sandy Hollingsworth, Chair

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Sharon Cate, Deputy Clerk to the Board

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Linda Isenhart, Commissioner

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Web Sill, Commissioner