

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

April 5, 2022

A regular meeting of the Board of County Commissioners of Gilpin County was held on April 5, 2022, at the Gilpin County Old Courthouse and in an online format. 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 Manager Ray Rears, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Agenda Review.** Consideration of the March 15, 2022, meeting minutes was removed from the agenda.

**Public/Press Comment.**

Donna Okray Parman, 529 Highpoint Circle, expressed her views on the short-term rental temporary moratorium.

Susan Wahl, 43 Wallens Drive, spoke about the Timberline Fire Protection District's acquisition of the Fritz Peak Observatory.

Dave Hoenke, owner of 655 Pinon Circle, expressed his views on short-term rentals.

**COVID-19 and Public Health Update.** Public Health Coordinator Alisa Witt:

- The positivity rate is 5.6%.
- 73.3 % of residents are vaccinated with one dose.
- There have been no new hospitalizations or deaths in the past two weeks.
- The new Omicron variant has not been impacting Colorado much.
- The Centers for Disease Control (CDC) approved a second booster for people aged 50+, which Coordinator Witt recommends.
- No vaccination clinics are scheduled at this time, but Coordinator Witt will do that soon and will publicize the information.

Public Health Update. The well water testing lab is open now Mondays through Wednesdays, 8:00 a.m. to 4:00 p.m., with results available in 48 hours. It's important to do this test annually.

**Sheriff's Office Monthly Report.** Sheriff Kevin Armstrong reported on operations in his office for February 2022, noting a sharp increase in calls to Dispatch. Most crimes are gaming related and are not committed by Gilpin County residents. The Colorado State Patrol is doing speed enforcement on highways 119 and 46.

**Proclamation for Telecommunications Workers Appreciation Week.** Sheriff Armstrong read a proclamation honoring telecommunications workers (Dispatch) during the week of April 10 to 16. Commissioner Sill moved to approve the proclamation for National Telecommunications Workers Appreciation Week, April 10, 2022 through April 16, 2022. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

**Office of Emergency Management.** Emergency Management Director Nathan Whittington presented the following:

Adoption of Gilpin County Emergency Operations Plan. The Emergency Operations Plan (EOP) establishes how emergency situation assessment is done and which agency and staff would make decisions to activate emergency operations. The EOP is re-evaluated every five years. After discussion, Commissioner Sill moved to approve the Gilpin County Emergency Operations Plan. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Adoption of Gilpin County Annual Operating Plan. The Annual Operating Plan is an agreement between participating wildfire agencies to set forth standard operating procedures, agreed upon procedures and responsibilities to implement cooperative wildfire protection on all lands within Gilpin County. The Plan is cross-jurisdictional, should remain as a 5-year plan. Commissioner Sill moved to approve the Annual Operating Plan. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Request for American Rescue Plan Act Funds for Sheriff's Office Records Management Software. County Manager Rears gave a status summary of the County's American Rescue Plan Act (ARPA) funds. Commissioner Hollingsworth noted that not all of the funds received have been spent, but are allocated, and that funding a records management system for the Sheriff's Office would be an allowable expense. Commissioner Isenhardt moved to approve \$119,881.47 to the Sheriff's Office in ARPA funds to be used to help with cost of the Central Square records management software, contingent upon the County's receipt of the next anticipated ARPA funds payment. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Proclamation for National County Government Month.** Commissioner Hollingsworth summarized a proclamation that honors the role of county government across the nation. Commissioner Isenhardt moved to declare April 2022 as National County Government Month. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Human Services Items.** Human Services Director Laura Solomon presented the following:

Raising Awareness of National Child Abuse Prevention Month. April is National Child Abuse Prevention Month, with displays of blue and white pinwheels representing brighter futures for children. Caseworker Paige Sons added that other agencies are involved in preventing child abuse, helping Human Services do an even better job of keeping children safe in our community. Calls reporting suspected child abuse should go through the statewide hotline that is staffed by professionals.

Recognition of Karen Erdman's 27 Years of Service to the Community. Caseworker Supervisor Karen Erdman has been an asset to Gilpin County for 27 years, helping many families and children through difficult circumstances. Commissioner Isenhardt said had worked with Ms. Erdman for six years and Karen was known as a valuable resource for many. The Board thanked Ms. Erdman for her lengthy service to Gilpin County families.

**Shout Out Awards to Two Public Works Employees.** Public Works Director John Combs cited an incident at the trash transfer station on March 19 in which a resident's dog in the car was being choked by an electric window. Employee Dakota Truitt punched out the window saving the dog's life, and employee Laura Farina comforted the resident afterward. In honor of their swift actions, Director Combs presented them with Shout Out awards.

**Requests for Congressionally Directed Funding from US Senators Bennet and Hickenlooper's Offices.** Gilpin County Administrative Analyst Sam Bower spoke about the availability of some Congressionally directed funding and described the following two projects that could qualify. Some projects could require a local match amount; all will require one or two letters of support.

Facilities Maintenance Department. The County is in need of a new facility for the Food Pantry for which a feasibility study of the proposed size and location will be needed. Discussion followed regarding the facility's potential features, location and how ongoing costs such as utilities would be paid.

Office of Emergency Management. The Community Wildfire Protection Plan (CWPP) includes an overarching analysis of emergency evacuation routes and the need to improve these routes. Funds could be used to help pay for the installation of 200 N5 shield sensors to be piloted this summer.

**Treasurer's Monthly Report.** County Treasurer Mary Lorenz reported on operations in that office for the month of February 2022, saying property tax collections are up, there are no active mortgage foreclosures and there is no stand-out information in the report.

**Human Resources Items.** Human Resources Director Chanda Johnson presented the following:

Discussion of Proposed Revisions to Employee Handbook. Proposed revisions included:

1. New hire introductory period
2. An update on the short-term disability period
3. Adding the Juneteenth holiday to the employee handbook

A resolution listing the revisions will be presented to the Board at a future meeting.

Resolution #22-06, Adopting a Grievance Procedure and Designating an ADA Coordinator to Comply and Carry out the County's Responsibilities Under the Americans with Disabilities Act. Commissioner Isenhardt moved to adopt Resolution #22-06, Adopting a Grievance Procedure and separately Designating an ADA Coordinator to Comply and Carry out the County's Responsibilities Under the Americans with Disabilities Act, designating Chanda Johnson as the Gilpin County ADA Coordinator. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

**Facilities Maintenance Items.** Facilities Maintenance Director Ryan Keenan presented the following:

Request to Hire Maintenance Technician Above Pay Range Midpoint. A candidate for a maintenance technician job has 16 years of experience in this field; Director Keenan proposed hiring them above the pay range mid-point. After some discussion, Commissioner Isenhardt moved to approve the request to hire a maintenance technician at \$55,000 per year plus benefits. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

Jail Showers Repair Contract. JCOR has offered a contract to repair some showers in the jail, the cost of which is in the 2022 budget. Commissioner Sill moved to approve contract with JCOR Mechanical not to exceed \$103,000.00. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

**Recess.** The Board recessed from 10:47 a.m. to 10:57 a.m.

**County Manager's Report.** County Manager Rears reported on his activities since the last Board meeting, saying he planned to submit a summary of his short-term plan, then a 180-day plan with staff and the public, followed by working toward a long-term strategy. He cited the need for additional Board work sessions to cover the Board's work plan topics. After discussion, Board consensus was to plan work sessions for Tuesdays: anticipated topics on Board meeting days and critical topics on alternating Tuesdays.

County Manager Rears introduced Community Development Director Robert Gutierrez and told his background in the field. The Board welcomed Director Gutierrez.

**Public Hearing—Resolution #22-04, Request for Local Landmark Designation of Severance Lodge, 19507 Highway 119.** Chair Hollingsworth opened a public hearing for a request for Local Landmark Designation of Severance Lodge located at 19507 Highway 119. County Planner Tami Archer presented LM22-01, saying the Gilpin County Historic Preservation Commission recommended approval of the request. Applicant Judd Motchan was present.

Chair Hollingsworth opened the hearing to public comment. Judd Motchan, 16512 Highway 119, owner of the property, told the history of the property and explained his intention to restore most of the buildings and property. There being no further public comment, Chair Hollingsworth closed that portion of the hearing.

Commissioner Sill moved to adopt Resolution #22-04, “Approving a Historic Landmark Designation for the Severance Lodge Located at 19507 Highway 119, Black Hawk, Colorado.” Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0. Chair Hollingsworth 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.)

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

- Memorandum of Understanding (MOU) with Friends of the Gilpin County Community Center. The Friends of the Gilpin County Community Center (FGCCC) is a non-profit group that assists the County in supporting the Community Center and seeks additional funding for its operations. The proposed MOU defines that collaboration and activities to solicit charitable funds for the Community Center and memorializes the agreement. Commissioner Isenhart moved to approve the MOU with the FGCCC “Establishing Roles, Responsibilities and the Relationship of Support to the Gilpin County Community Center.” Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.
- Agreement for Professional Surveying Service. The proposed renewal of the existing agreement is for surveys of County-owned land and is essentially the same as previous years, other than small increases for some types of services. Historical research would be performed by Gilpin County. Commissioner Sill moved to approve the Agreement for Professional Surveying Services for the remainder of 2022 between Gilpin County and Flatirons, Inc., Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.
- Resolution #22-05, “Imposing A Temporary 90-Day Suspension on the Submission, Acceptance, Processing, and Approval of Any Application for a County of Gilpin Permit Related to the Operation of a Short Term Rental Business and Declaring the Intention of the Board of County Commissioners to Consider the Adoption of Amendments to Existing County Regulations Concerning the Location, Number, and Mitigation of Impacts of Such Businesses and the Possible Adoption of Limitations on the Location, Number, and Mitigation of Such Businesses within Unincorporated Areas of Gilpin County.” County Attorney Benning shared an updated version of the draft resolution regarding short-term rentals. On March 1, 2022, the Board approved a temporary moratorium on short-term rentals, with an effective date of March 7, 2022, ending at the end-of-day on June 5, 2022. The proposed resolution would ratify that action. Discussion followed. Commissioner Sill moved to adopt Resolution #22-05. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

County Attorney Benning said a public hearing will be scheduled for potential changes to the Gilpin County Zoning Regulations, including the opportunity for public comment. County Manager Rears added that the Planning Commission would hold a public hearing followed by a public hearing before the Board. All documentation will be part of the official record.

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

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 Multi-Agency Council (MAC) and possibly some Colorado Counties, Inc., steering committee meetings. Upcoming Board meetings include April 19, May 3 and May 17.

Updates to Commissioners’ List of Committees and Boards. Commissioner Hollingsworth offered to fill the vacant seat on the Eagles’ Nest Early Learning Center (ENELC) Board and has been in touch with the ENELC outgoing and incoming directors. Commissioner Isenhart moved to approved the amended list of Committees and Boards. Commissioner Sill seconded the motion, which passed by a vote of 3 to 0.

#### Commissioner Comments.

- Commissioner Isenhart, Gilpin County’s representative on the Colorado Technical Services, Inc., (CTSI) board of directors, said that group would likely raise their rates for services in 2023. CTSI is the county’s workman’s compensation insurance carrier and casualty and property insurance carrier.

- Commissioner Hollingsworth said Alaska Senator Don Young had passed away. He was the longest serving senator.

**Minutes.** Commissioner Sill moved to approve the Board of County Commissioners Meeting Minutes for March 1, 2022. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.**

- Karla Fuller, 2500 Upper Apex Road and a residence in the townsite of Apex, expressed her views on short-term rentals in Gilpin County.
- Carolyn Collins Petersen of Friends of the Gilpin County Community Center thanked the Board for approving a memorandum of understanding today.
- Sarah Comp, 198 W. Dory Road, expressed her views on short-term rentals in Gilpin County.
- Susan Wahl, 42 Wallens Drive, expressed her views on the Timberline Fire Protection District's acquisition of the Fritz Peak Observatory.
- Donna Okray Parman, 529 Highpoint, expressed her views on short-term rentals in Gilpin County.
- Dave Hoenke, owner of 655 Pinon Circle, expressed his views on short-term rentals in Gilpin County.

**Adjourn.** There being no further business to come before the Board, they adjourned at 12:30 p.m.

Signed this 03<sup>rd</sup> day of May 2022.