

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

December 4, 2012

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 4, 2012, at the Gilpin County Old Courthouse. Chair McLain called the meeting to order at 9:00 a.m. In attendance were Chair Connie McLain; Commissioner Buddy Schmalz; Commissioner Forrest Whitman; County Manager Roger Baker; County Attorney Jim Petrock; and Sharon Cate, Deputy Clerk to the Board.

Notice of Public Meetings. A public meeting in the upcoming two weeks that could be attended by more than one Commissioner and at which public business may be discussed will be:

- Board of County Commissioners budget work session, December 4, 2012, after the regular meeting

Public Hearing—Resolution #12-18—Supplemental Appropriations. Chair McLain opened a public hearing for Resolution #12-18, “Supplemental Appropriations.” Finance Director Clorinda Smith explained the various unanticipated expenditure and revenue transactions that occurred during 2012. Chair McLain opened the hearing to public comment. There being none, comment, Chair McLain closed that portion of the hearing. Commissioner Schmalz moved to adopt Resolution #12-18, “Supplemental Appropriations.” Commissioner Whitman seconded the motion, which passed by a vote of 3 to 0. Chair McLain closed the public hearing.

Resolution #12-19—Approving Statutorily Required Salary Setting for District Attorney. County Manager Baker stated that as part of the First Judicial District, Gilpin County was expected to participate in the decision regarding the proposed annual salary of the district attorney, \$208,000, for the term beginning in January of 2013. Commissioner Whitman moved to adopt Resolution #12-19, “Approving Statutorily Required Salary Setting for District Attorney.” Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Clerk and Recorder’s Monthly Report. Clerk and Recorder Colleen Stewart reported on operations in her office for the month of October 2012. She noted that Gilpin County was one of the first jurisdictions in Colorado to have its general election results certified, and that she planned to host an appreciation luncheon for all of the volunteer election judges later this week. Clerk Stewart added that after the election, the Secretary of State’s election attorney had called her to say they had been observing various areas’ election procedures and that Gilpin County had experienced no problems. The election attorney complimented Gilpin County on conducting such a smooth election.

Public Trustee’s Third Quarter Report. Chief Deputy Public Trustee Mary Lorenz reported on operations in that office for the third quarter of 2012, and submitted results on the November 14, 2012, Tax Lien Sale. Commissioner Whitman moved to accept the Public Trustee’s 2012 Third Quarter report. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

The Board of County Commissioners recessed and convened as the Board of Health.

Individual Sewage Disposal System Application. County Manager Baker stated that at this time, Jefferson County Public Health (JCPH) continues to perform individual sewage disposal system (ISDS) inspections for Gilpin County, but soon the Gilpin County Community Development Department will contract with an inspector for this service. The change should produce faster response times to calls for inspections. JCPH will continue other services for Gilpin County, such as assistance in rewriting local ISDS regulations to comply with the pending changes to statewide wastewater disposal regulations.

County Manager Baker presented the following application for an ISDS and noted that although the subject parcel was large, all vault system applications require review by the Board of Health.

Pat and Andy MacMillan, S12, T2S, R72W, 10567 Thorodin Drive, a 39.1-acre parcel. Commissioner Schmalz moved to approve the ISDS application as presented. Commissioner Whitman seconded the motion, which passed by a vote of 3 to 0.

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

Medical Marijuana Businesses Regulatory Options Discussion. Community Development Director Tony Petersen stated that Gilpin County’s current moratorium on medical marijuana sales businesses would expire on December 10, 2012, and presented four options for action. Discussion of each option followed, with County Attorney Petrock pointing out that the recreational use of marijuana might not be addressed statewide until 2013, and those measures would supersede current medical marijuana regulations. Such action would likely prompt businesses with medical marijuana sales licenses to apply to change their license to recreational-use marijuana. He further stated that if the Board of County Commissioners chose to extend the current moratorium on new medical marijuana businesses, the three existing businesses would be grandfathered in, allowing them to continue. County Attorney Petrock also said any action by the Board would affect only the unincorporated portions of Gilpin County.

Resolution #12-21—Prohibiting Medical Marijuana Operations in the Unincorporated Portions of the County of Gilpin. Commissioner Schmalz moved to adopt Resolution #12-21, “Prohibiting Medical Marijuana Operations in the Unincorporated Portions of the County of Gilpin.” Commissioner Whitman seconded the motion, which passed by a vote of 3 to 0.

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

Liquor License Renewal Application—Rollinsville Country Store and Liquor. Local Liquor Licensing Administrator Sharon Cate presented an annual retail liquor license renewal application submitted by Rollinsville Country Store and Liquor. Commissioner Whitman moved to approve the application for Rollinsville Country Store and Liquor, 60 ½ Main Street, Rollinsville, to renew license #42-82661-0000, with a new expiration date of November 28, 2013. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

The Local Liquor Licensing Authority adjourned and reconvened as the Board of County Commissioners.

Minutes. Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for November 13, 2012. Commissioner Whitman seconded the motion, which passed by a vote of 3 to 0.

County Manager Status Report. County Manager Roger Baker updated the Commissioners on the following items:

Monthly Departmental Reports. The monthly departmental reports that had been submitted were discussed. County Manager Baker noted that with the Community Development Department soon to take over individual sewage disposal system inspections by contract, monthly statistics would appear on that report as well as the report submitted by Jefferson County Public Health. The Community Development Department’s report also indicated a slight increase in building activity and that the department revenues are slightly higher than had been budgeted.

Adjournment. There being no further business to come before the Board, they adjourned at 9:41 a.m.

Signed this 18th day of December 2012