

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

December 10, 2013

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 10, 2013, at the Gilpin County Old Courthouse. Chair Schmalz called the meeting to order at 9:00 a.m. In attendance were Chair Buddy Schmalz; Commissioner Connie McLain; Commissioner Gail Watson; County Manager Roger Baker; County Attorney Brad Benning; and Sharon Cate, Deputy Clerk to the Board.

**Jefferson/Gilpin Community Crisis Response Team.** Gilpin County Sheriff Bruce Hartman, and Rachel Liberatore, Victim Services Advocate, presented information about the Jefferson/Gilpin Community Crisis Response Team, saying Gilpin County has been informally involved with the Team for many years, but that signing the multi-agency agreement was now in order. Advocate Liberatore spoke briefly about the type of training most team members undergo, and explained that in an incident where multiple agencies respond, the team local to the incident would be in charge. Sheriff Hartman noted that response teams include licensed mental health workers whose focus is helping manage a crisis rather than individual counseling, but that counseling could be provided if the situation warranted.

Commissioner McLain moved to approve Gilpin County's membership in the Jefferson/Gilpin Community Crisis Response Team. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Inmate Healthcare Services—2014.** Sheriff Hartman presented a price quote from Correctional Healthcare Companies (CHC) for the 2014 Inmate Healthcare Services Agreement, a continuation of the current agreement. At their October 8, 2013, meeting, the Board of County Commissioners had previewed the proposed 2014 Agreement and directed CHC to prepare a revised version for approval. Commissioner McLain moved to approve the 2014 Inmate Healthcare Services Agreement with Correctional Healthcare Companies. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Request to Fill a Position.** Clerk and Recorder Colleen Stewart requested the Board of County Commissioners' approval to fill a vacant full-time position for Deputy Clerk—Motor Vehicle Division. Human Resources Director Susie Allen was present to provide information. Clerk Stewart said she wanted to hire a current part-time employee for the full-time position and then advertise the vacant part-time position. Director Allen stated that the full-time position is approved in the budget, an experienced employee could be hired up to 5% into the pay range, and the part-time position is one pay range lower than full time. Clerk Stewart cited C.R.S. 42-1-210, which designates the Clerk and Recorder as an authorized agent for the Motor Vehicle Division, with the power to appoint and employ such clerks as necessary; she also spoke briefly of the statutory requirements for the recording of documents. Discussion followed, with the Board expressing concern about filling a part-time position knowing that layoffs could become necessary in 2014 or later. Commissioner Schmalz stated that some staffing changes were likely to occur next year.

Commissioner Watson moved to approve filling the full-time position with a current part-time employee and filling the part-time position, as presented. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 1, with Commissioner McLain voting against.

**Boundary Line Elimination Application.** Gilpin County Planner Ray Rears presented the following Boundary Line Elimination (BLE) application:

BLE #13-08. Commissioner McLain moved to approve BLE #13-08 for David P. Buscher, Mine: Null Placer, combining parcels R012260 and R001901, to create a new 0.49-acre lot, Parcel A. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Resolution #13-25—Adopting a Revised Schedule of Fees for Solid Wastes Management.** Public Works Director Curtis Logsdon proposed the following changes to the solid wastes fee schedule:

- raising the fees for bags of household garbage by \$1 each
- limiting residents to five (5) cubic yards of disposal on free trash day
- increase non-resident slash disposal rates

Commissioner Schmalz said the proposed fees had been considered in the budget hearings and were found to be reasonable. Commissioner McLain moved to adopt Resolution #13-25, "Adopting a Schedule of Fees for Solid Wastes Management." Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**General IT Consulting Services Agreement—Teryx, Inc.** Tobias Tonelli, President of Teryx, Inc., was present to discuss the renewal of that company's agreement with Gilpin County for General Information Technology (IT) services. The Commissioners noted they wanted to complete the current three-year computer replacement cycle in 2014 and then move to a four-year cycle. Commissioner Watson asked about the confidentiality clause regarding the protections of "Gilpin Confidential Information" in the event of a severed agreement, and said she believed governmental information should be considered confidential forever. President Tonelli said Teryx, Inc., doesn't manage Gilpin County's data, but stores it with a third party. County Attorney Benning said the proposed

Agreement appeared to be acceptable, but also agreed that confidential information should be protected perpetually. County Manager Baker suggested a revision to address the Board's concern, to which President Tonelli agreed. Commissioner McLain moved to approve, as amended, the General IT Consulting Services Agreement between Gilpin County and Teryx, Inc. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Human Services Certification of Compliance, County Merit System.** County Manager Baker stated that the Colorado Department of Human Services requires certification that local DHS employees are treated the same as other County employees for job performance and disciplinary reviews, thus insulating these employees from political pressures. Gilpin County complies with these provisions, even though all of its employees are hired "at will." Commissioner McLain moved to certify that Gilpin County is in compliance with the County Merit System as per C.R.S. 26-1-120. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

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

Monthly Departmental Reports. The monthly departmental reports that had been submitted were discussed.

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

- The lawsuit filed by the Brannan Sand and Gravel Company in 2008 included one final appeal, which was recently denied by the Colorado Supreme Court, meaning the case is closed. A minor claim in the case regarding the open meetings law was remanded back to District Court.
- The Board will need to conduct an executive session to receive legal counsel regarding potential litigation and a personnel matter.

**Board of County Commissioners Status Reports.**

Commissioner Status Reports. All three Commissioners attended the Colorado Counties, Inc., annual winter conference from December 2 through 4, 2013.

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

- Rollins Pass meeting, Boulder County Courthouse, December 12, 1:00 p.m.
- Gilpin Cares, Community Center, December 12, 6:30 p.m.
- Independent Living booth at the Winterfest event, Community Center, December 14

**Minutes.**

Commissioner McLain moved to approve the Board of County Commissioners Meeting Minutes for November 26, 2013. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Commissioner McLain moved to approve the Board of Human Services Meeting Minutes for November 26, 2013. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Adjournment to Executive Session.** Commissioner McLain moved to adjourn to Executive Session in accordance with C.R.S. 24-6-402, to receive legal counsel on potential litigation and a personnel matter. Commissioner Watson 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 9:56 a.m.

Signed this 17<sup>th</sup> day of December 2013