

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

December 17, 2013

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 17, 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 Jim Petrock; and Sharon Cate, Deputy Clerk to the Board.

Public/Press Comment. Art Wolfe, a Gilpin Gardens resident, spoke on two topics:

1. Several years ago close to his home, Mr. Wolfe found an abandoned, vertical mine shaft, a building and mining equipment; the surrounding forest has become littered with debris from the site. He had contacted Community Development Director Tony Petersen for information on how to protect the public and animals from the abandoned site and today requested the Board of County Commissioners' assistance in that endeavor.
2. Mr. Wolfe considers the swimming pool at the Community Center to be more than a luxury for the community and is very appreciative of the facility and staff. He was disappointed that the facility hours have been reduced and suggested that a group of volunteers could arrange some fundraising functions to support the pool.

Public Hearing—Resolution #13-22—Adoption of 2014 Budget. Chair Schmalz opened a public hearing for Resolution #13-22 to adopt the 2014 Gilpin County budget. Finance Officer Clorinda Smith gave a brief summary of the County's current financial status. Commissioner Schmalz opened the hearing to public comment. There being none, Chair Schmalz closed the hearing to public comment. Commissioner McLain moved to adopt Resolution #13-22, "Adopting the 2014 Budget." Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. Chair Schmalz closed the public hearing. (The legal recording of the public hearing, including public comment, is an audio file available through the Clerk and Recorder's Office.)

Annual Certification of Mill Levies. Finance Officer Clorinda Smith gave an overview of the Certification of Mill Levies, which lists the County's assessed value at \$339,353,590 for 2014, a decrease from \$351,747,060 in 2013. The total amount of revenues that could be collected is \$3,355,868. Commissioner McLain moved to approve the Certification of Mill Levies for Budget Year 2014. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Petitions for Abatement or Refund of Taxes. Assessor Anne Schafer presented the following Petitions for Abatement or Refund of Taxes:

Schedule #R002562, Louise Hollowell Trust. Nancy Bromfield, Trustee for the Louise Hollowell Trust, participated in the hearing by telephone. Assessor Schafer stated that Petitioner Bromfield had inherited the subject parcel, on which the boundary lines are not clear. The City of Central's maps show only one lot—Block 31, Lot 13—but Gilpin County's maps show two—Block 31, Lots 13 and 14. Assessor Schafer stated that Ms. Bromfield would need to have the property surveyed in order to clear up the discrepancy, but that the taxes on Lot 13 in its current state could not be abated. In response to County Attorney Jim Petrock, Assessor Schafer stated that there is a tax deed for Lot 13. Lengthy discussion ensued. Commissioner McLain moved to deny the petition for the abatement or refund of taxes for the Louise Hollowell Trust, Nancy Bromfield Trustee, Schedule #R002562 for tax year 2012. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Schedule #R011080, #R011085 and #R011088, TJ, LLC. Assessor Schafer stated that in an abatement petition, the burden of proof is on the petitioner to demonstrate that the Assessor's valuation is inaccurate. Commercial Appraiser Rich Jortberg said that due to the scant sales data available on vacant commercial lots, property values had been lowered, but that Petitioner TJ, LLC, represented by Elite Property services, believed the values for their subject property were still too high. Discussion followed. Commissioner McLain moved to deny the petition for the abatement or refund of taxes for TJ, LLC, Schedule #R011080, #R011085, #R011088 for tax years 2011 and 2012. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Treasurer's Monthly Report—November 2013. Treasurer Alynn Huffman reported on operations in her office for the month of November 2013, noting that beginning in 2014, Colorado Trust CDT would no longer appear on the reports, as that account had been closed.

Request to Fill a Position. Treasurer and Public Trustee Alynn Huffman requested the Board of County Commissioners' approval to fill a vacant part-time position for Office Assistant and Content Manager. Finance Officer Clorinda Smith was present to provide payroll and benefits information. Treasurer/Public Trustee Huffman noted that the part-time position, as outlined in Option B of the proposal, had been approved during the budget hearings, but that she preferred Option A, incorporating it and another existing part-time position that serves the Finance Office and the Human Resources Office, which would create a full-time position. The Commissioners expressed concern about the additional \$4,000 in benefits tied to a full-time job. Commissioner McLain moved to

approve the request to fill a position, Option B, without incorporation of a similar existing part-time position. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Public Hearing—Resolution #13-24—Designating Areas in which it is Unlawful to Discharge Firearms Pursuant to C.R.S. 30-15-302. Chair Schmalz opened a public hearing for Resolution #13-24, “To Designate Areas in Which it is Unlawful to Discharge Firearms Pursuant to C.R.S. 30-15-302.” Chair Schmalz opened the hearing to public comment. Staci McBrayers, 466 Karlann Drive, had questions about the definition of a firearm. Following public comment, Chair Schmalz closed the hearing to public comment. Commissioner McLain moved to approve Resolution #13-24, “To Designate Areas in Which it is Unlawful to Discharge Firearms Pursuant to C.R.S. 30-15-302.” Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. Chair Schmalz closed the public hearing. (The legal recording of the public hearing, including public comment, is an audio file available through the Clerk and Recorder’s Office.)

Acceptance of Land Donation. Community Development Director Tony Petersen stated that a private party would like to donate a 0.75-acre parcel, Lot 26, Block 2, Colorado Sierra Alpha Unit 1, to Gilpin County; he cited the advantages and disadvantages to the County in accepting the land. County Attorney Petrock explained the County’s legal position and said land use planning would be an acceptable public purpose. Commissioner McLain moved to accept the donation of Lot 26, Block 2, Colorado Sierra Alpha Unit 1. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Boundary Line Elimination Applications. Gilpin County Planner Ray Rears presented the following Boundary Line Elimination (BLE) applications:

BLE #13-09. Commissioner McLain moved to approve BLE #13-09 for Alfred M. Curtis, combining schedule numbers R005163, R005551, R004916 and R004480, La Chula Vista Ranch, to create a new 6.68-acre parcel, Lot 12B, Block 2, La Chula Vista Ranch. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

BLE #13-10. Commissioner McLain moved to approve BLE #13-10 for LJ Specialists, LLC, combining schedule numbers R005711 and R--5393, 2197 South Beaver Creek Road, to create a new 3.00-acre lot, Parcel 1, as created by BLE #13-10. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Resolution #13-26—Adopting a Schedule of Public Meetings for 2014. County Manager Baker stated that as required by C.R.S. 30-10-303, the Board of County Commissioners needed to adopt a schedule for their 2014 public meetings. Commissioner McLain moved to adopt Resolution #13-26, “Adopting a Schedule of Public Meetings for the Board of County Commissioners for 2014.” 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.

Federal Forest Payment and Secure Rural School Program. County Manager Baker presented the annual election form for the Secure Rural Schools program, noting that while this program (for allocating federal payment-in-lieu-of-taxes monies) continued to be the best option for the County, the overall amount received continues to decline from year-to-year.

County Manager Employment Contract 2014. County Manager Baker stated that no changes had been made to the contract for employment of the County Manager. Commissioner Watson moved to approve the employment contract for County Manager Baker for 2014. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

Board of County Commissioners Status Reports.

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:

- Five-county monthly breakfast, December 18, Idaho Springs

2014 Goals and Objectives. Commissioner McLain moved to approve the Board of County Commissioners’ 2014 Goals and Objectives, as amended. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Minutes. Commissioner McLain moved to approve the Board of County Commissioners Meeting Minutes for December 10, 2013. Commissioner Watson 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 11:10 a.m.

Signed this 7th day of January 2014