

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

January 7, 2014

A regular meeting of the Board of County Commissioners of Gilpin County was held on January 7, 2014, 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.** Rose Hosmer, 250 Russell Gulch Road, asked questions about why the Board of County Commissioners had recently accepted the donation of some land, and stated that she disagreed with their action.

**Take-home Vehicle Approval.** Finance Officer Clorinda Smith presented a short list of on-call employees who are permitted to use a County-owned take-home vehicle, and requested that the Board of County Commissioners formally approve the list. She explained that the listed employees were required to perform a speedy response to emergencies, and that some employees had been removed from the previous list. Commissioner McLain moved to approve the modified list of on-call employees permitted to use a County-owned take-home vehicle. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

The Board of County Commissioners recessed and convened as the Board of Human Services at 9:21. (See BOHS meeting minutes, 01/07/2014.) They reconvened as the Board of County Commissioners at 9:34.

**Annual Appointments.** The Board discussed the proposed list of annual appointments. Commissioner McLain moved to approve the list as presented. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. Commissioner Watson assumed the duties of Chair at 9:37 a.m. The official appointments for 2014 are as follows:

Chair, Board of County Commissioners—Gail Watson  
Commissioners to Convey—Buddy Schmalz, Connie McLain, Gail Watson  
Budget Officer—Clorinda Smith  
County Manager—Roger Baker  
County Attorney—Jim Petrock  
Administrative Assistant to the Board—Sharon Cate  
Emergency Manager—Steven Watson  
Board of Adjustment—Buddy Schmalz, Connie McLain, Gail Watson  
Local Liquor Licensing Authority— Buddy Schmalz, Connie McLain, Gail Watson  
Depository Banks for Gilpin County—Wells Fargo, Colorado Trust General, and C-Safe  
Newspaper of Record—*The Weekly Register-Call*

**Clerk and Recorder's Monthly Report.** Clerk and Recorder Colleen Stewart reported on operations in her office for the month of November, 2013, noting that total revenues were \$140,752. She said she planned to present a 2013 year-end report once the December report was completed.

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

**Liquor License Renewal Applications.** Liquor Licensing Administrator Sharon Cate presented two annual renewal applications for retail liquor licenses:

Last Shot. Commissioner McLain moved to approve at the local level the application for the annual renewal of the hotel and restaurant liquor license for Last Shot, LLC, dba Last Shot, 17268 Highway 119, with a current expiration date of February 28, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. Owner Roy Stewart was present and stated he would like to conduct some benefit dinners during the summer months to help citizens in need. The Board commended Mr. Stewart for his involvement with the community.

Mid County Liquors. Commissioner McLain moved to approve at the local level the application for the annual renewal of the retail liquor store license for XTRACT, LLC, dba Mid County Liquors, currently located at 17218 Highway 119, with a current expiration date of February 15, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. (Mid County Liquors' permit for a change of location is in effect until June 11, 2014.) Owner John Dunham was present and asked what process is used by the Local Liquor Licensing Authority to determine if a liquor-based business' annual renewal is appropriate. Commissioner Watson said the Gilpin County Sheriff's Office performs a background check and issues a letter to the Authority on the findings, if any. Mr. Dunham thanked the Authority.

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

**Second Amendment to Establishing Contract for Gilpin Ambulance Authority.** Commissioner Schmalz said the two main purposes for the proposed Second Amendment to the Establishing Contract for the Gilpin Ambulance Authority (GAA) were the clarification of the payment formula, and a request by Gilpin Ambulance Authority to change the contract language from “executive director” to “manager.” Discussion followed regarding the large increase to Gilpin County’s payment, the revenue generated by a call location (Central City, Black Hawk or unincorporated Gilpin County) and how projected revenues might affect the formula. Erin Gibbs, Interim Director, also noted that GAA had received a greatly reduced gaming impact grant for 2014.

Commissioner McLain moved to approve the Second Amendment to the Establishing Contract for the Gilpin County Ambulance Authority. Commissioner Schmalz 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 Report. The monthly departmental report that had been submitted was discussed; County Manager Baker explained that more quarterly and year-end reports would be submitted for the Board of County Commissioners’ next meeting, January 28, 2014.

Historic Preservation Advisory Commission Appointment. Commissioner Schmalz moved to appoint Rick Newman to a new three-year appointment on the Gilpin County Historic Preservation Advisory Commission, through January 17, 2017. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

**Legal Status Report.** County Attorney Jim Petrock advised the Commissioners on the following legal issues:

Brannan Sand and Gravel Company Litigation. The Colorado Court of Appeals has ruled that the Brannan Sand and Gravel Company’s lawsuit against Gilpin County will be remanded to the Gilpin County District Court and will be dismissed with prejudice. The question regarding the open meetings law remains undecided.

**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:

- Seniors Independent Living, January 13, 6:30 p.m., Community Center
- Five-county monthly breakfast meeting, January 15, 8:00 a.m., Idaho Springs
- Colorado Counties, Inc., Legislative Day at the Capitol, January 16
- United Power representative, Rick Newman, January 16, 10:00 a.m., Old Courthouse
- Commissioners’ monthly ‘Coffee and Conversation,’ January 23, 6:30 p.m., Community Center

Colorado Counties, Inc., Voting Proxies for 2014. Commissioner Schmalz moved to appoint County Manager Baker as the Board of County Commissioners’ voting proxy on all Colorado Counties, Inc., steering committees, except the Health and Human Services Committee, which proxy shall be Gilpin County Human Services Director Betty Donovan. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

**Annual Commissioner Committee and Board Assignments for 2014.** Annually, each Commissioner is assigned to serve on several Colorado Counties, Inc. (CCI), steering committees, as well as many other County-related committees and boards. The Commissioners reviewed a list of those committees and boards and individually accepted assignments to each. Commissioner McLain moved to approve the list of committee representatives as amended. Commissioner Schmalz 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 17, 2013. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.** Tracy McBrayer, reporter for the *Weekly Register-Call*, asked questions about the basic part of the formula used to calculate each entity’s payment in the Gilpin Ambulance Authority. Commissioner Schmalz provided some information.

**Adjournment.** There being no further business to come before the Board, they adjourned at 10:10 a.m.

Signed this 28<sup>th</sup> day of January 2014