

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

July 22, 2014

A regular meeting of the Board of County Commissioners of Gilpin County was held on July 22, 2014, at the Gilpin County Old Courthouse. Chair Watson called the meeting to order at 9:00 a.m. In attendance were Chair Gail Watson; Commissioner Connie McLain; Commissioner Buddy Schmalz; County Manager Roger Baker; County Attorney Jim Petrock; and Sharon Cate, Deputy Clerk to the Board.

**Public/Press Comment.** Marge Eller, resident of Alps Hill Road, gave an update on the need of materials to improve that road, saying that a group of residents is pursuing more in-depth information and plans to present it to the Board of County Commissioners at their next meeting. She also clarified that there are no mine tailings or mine shafts on Alps Hill Road. Ms. Eller also spoke about a Colorado Department of Transportation sign posted at Highway 119 and Selak Street that misdirects drivers.

**Request to Use County Facilities—Timberline Fire Protection District.** Lieutenant Aaron Skeen and Board Chair Jim Crawford, of the Timberline Fire Protection District (TFPD), asked the Board of County Commissioners' permission for TFPD to use the parking lots at the fairgrounds and near the Public Health facility on Norton Drive to stage a large-scale vehicle extrication training session. Gilpin County Events Coordinator Vicki Nemecek and Public Works/Facilities Director Bill Paulman were present, with Coordinator Nemecek explaining that the request had been denied administratively, due to debris being left behind at other similar training sessions, but that TFPD wanted to present their request to the Board of County Commissioners. Discussion followed regarding other possible sites that could be easier to clean, TFPD's plan to capture automotive fluids, charging a damage deposit, and the central location of the Fairgrounds lots. The Board of County Commissioners instructed Director Paulman to estimate the cost of cleaning the lots, if it were necessary, and instructed him and Coordinator Nemecek to base the amount of the damage deposit on the estimate.

**Clerk and Recorder's Monthly Report.** Clerk and Recorder Colleen Stewart reported on operations in her office for the month of June, 2014, saying that an increase in car purchases had caused a significant increase in the motor vehicle revenues, ownership tax revenues are up and recording is slightly higher. To provide more complete comparisons to previous periods, Clerk Stewart will present future information in a quarterly report.

**Request to Fill a Position.** Clerk and Recorder Colleen Stewart requested the Board of County Commissioners' approval to fill a vacant part-time position for Deputy Clerk—Recording Specialist, a budgeted 20-hour-per-week position with no benefits. She explained that it was difficult to keep someone in the job, as workers often move into jobs in other County departments. Commissioner Schmalz moved to approve the request to fill a position. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

**Treasurer's Reports.** County Treasurer and Public Trustee Alynn Huffman presented the following reports:

Monthly—June 2014. Treasurer Huffman stated that tax collections were a bit lower in June than in the same month last year, and that even casinos were slower recently to pay their taxes; one casino check was returned for insufficient funds.

Semi-Annual—January 1 through June 30, 2014. Treasurer Huffman noted that some Gilpin County School RE-1 coupons in the amount of \$11,861.25 had been on the books for at least 25 years because despite much research, the origin of the coupons (bonds) was unknown. Independent auditors have been unable to determine exactly how the funds came to be or how to disburse them. County Attorney Jim Petrock said he would look into the matter, and thought perhaps at this point the funds might need to be forwarded to the State Treasurer as unclaimed property. Commissioner McLain moved to accept Treasurer Huffman's semi-annual report for January 1 through June 30, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Public Trustee—Second Quarter—April through June, 2014. Public Trustee Huffman advised the Board of County Commissioners that the number of mortgage foreclosures had declined to a level similar to the year 2000. She gave an overview of how the Public Trustee Operating Account functions and how overages are paid out. Commissioner McLain moved to accept Public Trustee Huffman's Second Quarter report for April through June, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Agreement for Additional Surveying Services.** County Manager Baker presented a request on behalf of County Surveyor Corey Diekman for a supplemental budget authorization in the amount of \$3,000 to conduct field work along the boundary line common to Gilpin and Clear Creek counties; if approved, any remaining monies could be used to survey the area around the Central City cemeteries. Commissioner Schmalz asked if the survey could result in a redefinition of the line and possibly change the county in which a residence is located. County Manager Baker responded that it would not affect any home, but could affect some mining claims. Commissioner Schmalz moved to approve the supplemental budget authorization of \$3,000 for additional survey work. Commissioner McLain 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 Jim Petrock advised the Commissioners they would need to hold an executive session to receive legal advice regarding the ongoing litigation against Gilpin County by the Brannan Sand and Gravel Company for the County's August 19, 2008, denial of their quarry application.

**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:

- Coffee with Commissioners, July 24, 6:30 p.m., at the Community Center, to discuss possible sites for a public shooting range, as identified by the Front Range Shooting Partnership
- Food bank benefit dinner and auction, July 26, 1:00 p.m. to 5:00 p.m., at Last Shot
- Department of Local Affairs (DOLA) Gaming Impact grant application preliminary review, July 30, 8:00 a.m. to 12:30 p.m., at the Old Courthouse

**Meeting Minutes.** Commissioner McLain moved to approve the Board of County Commissioners Meeting Minutes for July 8, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.** *Weekly Register-Call* reporter Stacy McBryer asked about the status of an application for a Temporary Use Permit, TUP #14-02, for Michael Milasinovich dba Earthlings for a Future, LLC, through which Mr. Milasinovich sought to host a three-day music festival/fundraising event at the Trinity Mountain Ranch (TMR) on Gap Road. The proposed event dates are August 1–3, 2014. County Manager Baker and Community Development Director Tony Petersen confirmed that the applicant had not completed the list of conditions for approval by July 18, 2014, as required by the Board of County Commissioners on June 24, 2014.

Steven Watson, Sheriff's Office Communications Director and Emergency Preparedness Director, noted that Central City would host a Pit Rally auto race on the Central City Parkway. The road will be closed for time trials on Thursday, August 31, from 8:00 a.m. to noon, and on Saturday, August 2, from 8:00 a.m. to 5:00 p.m. for the race.

**Adjournment to Executive Session.** Commissioner McLain moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402, to receive legal advice regarding the ongoing litigation against Gilpin County by the Brannan Sand and Gravel Company. Commissioner Schmalz 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 9:53 a.m.

Signed this 05<sup>th</sup> day of August 2014