

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

August 19, 2014

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 19, 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.

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

BLE #14-07. Commissioner Schmalz moved to approve BLE #14-07 for Constance Joyce La Lena, combining Lots 12 and 13A, Colorado Sierra Alpha Subdivision, Unit #2, to create a new 2.268-acre parcel, Lot 12A, Colorado Sierra Alpha Subdivision, Unit #2. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

BLE #14-04. Commissioner McLain moved to approve BLE #14-04 for Donald K. Richter and Kristen K. Kiehn, combining Lots 21, 22 and 23, Bun-Gun Zhing-Wak Subdivision, to create a new 1.67-acre parcel, Lot 21A, Bun-Gun Zhing-Wak Subdivision. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Treasurer's Monthly Report.** Treasurer Alynn Huffman reported on operations in her office for the month of July 2014, saying that the number of bankruptcies within the County have caused lower tax collections this year. She also referred to an item she first reported in July—some school bond coupons in the amount of \$11,861.25 that had been on the Treasurer's books since 1993—and stated that after futile research by the State auditors and others, County Attorney Jim Petrock advised Treasurer Huffman to pay out the funds to the Gilpin County RE-1 School. The payment has been made. Treasurer Huffman concluded her report by noting that Gilpin County would receive its annual gaming check on August 28, 2014.

**Clerk and Recorder Items.** Clerk and Recorder Colleen Stewart presented the following items:

1. Request to Purchase Additional Election Laptop Computers. At the August 5, 2014, Board of County Commissioners meeting, Clerk Stewart requested four (4) new laptop computers to conduct the upcoming general election in compliance with some security mandates from the Elections Division of the Colorado Secretary of State's Office. The Board then directed her to explore other, less costly options. Today she stated she had done some research and had worked with Tobias Tonelli, of Teryx, Inc., Gilpin County's IT services provider, and had come to the conclusion that using desktop computers (PC) instead of laptops could result in a lack of security, as the laptops could be stored in a vault in a sealed case, while PCs would remain in the hallway overnight. Clerk Stewart then introduced Dan Volkosh, a legal analyst for the State Elections Division, who spoke about the State's concern that voter information and the State's elections software be protected, and about the State's plan to move to a web-based module. Afterward, Mr. Tonelli presented a cost analysis of upgrading some PCs versus purchasing new laptops, and explained what would be needed to prepare both types for the election process. Commissioner Schmalz moved to allocate up to \$1200 for the purchase of four laptop computers for the upcoming election. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.
2. Intergovernmental Agreements to Conduct Coordinated Elections. The Board of County Commissioners reviewed the following three intergovernmental agreements (IGA) for coordinated elections by the Gilpin County Clerk and Recorder:
  - a. City of Central. Commissioner McLain moved to approve an IGA between the Gilpin County Clerk and Recorder and the City of Central to conduct a coordinated election on November 4, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.
  - b. Coal Creek Canyon Fire Protection District. Commissioner McLain moved to approve an IGA between the Gilpin County Clerk and Recorder and the Coal Creek Canyon Fire Protection District to conduct a coordinated election on November 4, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.
  - c. Boulder Valley School District RE-2. Commissioner McLain moved to approve an IGA between the Gilpin County Clerk and Recorder and the Boulder Valley School District RE-2 to conduct a coordinated election on November 4, 2014. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.
3. Coordinated Election Funding Estimates. Clerk Stewart advised the Board that the Secretary of State's Office had performed a cost allocation on all counties and that she had researched the costs of providing

coordinated elections for other entities and would therefore be increasing the County's fee substantially. She estimated this year's total revenue for coordinated elections to be much higher, at over \$13,000.

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

**Liquor Licensing Items.** Liquor Licensing Clerk Sharon Cate presented the following items to the Local Liquor Licensing Authority (LLA):

1. Resolution #14-13—Amending Regulations for Tastings at Retail Liquor Stores. The proposed resolution would amend the number of days per calendar year that a licensee may conduct liquor tasting events and would change the application fee. Commissioner Schmalz moved to approve Resolution #14-13, "Amending Regulations for Tastings at Retail Liquor Stores," to allow 24 event dates per calendar year and a fee of \$100.00 per application, which may include multiple dates. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.
2. Liquor Tasting Application—Mid County Liquors. Commissioner Schmalz moved to approve a liquor tasting application filed by XTRACT, LLC, owner of Mid County Liquors. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.
3. Extension of Temporary Liquor Permit—Pickle Liquors. On April 22, 2014, the Local Liquor Authority approved an application for a Temporary Liquor Permit pending approval of a transfer license application filed by Pickle Liquors, LLC, at 661 Highway 119. The Temporary Permit had an expiration date of August 28, 2014. Today Clerk Cate explained that on June 3, 2014, the State Liquor Enforcement Division (LED) notified liquor licensing clerks throughout the state that LED's review of new and transfer license applications was running eight to twelve weeks behind, which has affected Pickle Liquors' transfer application and subsequent temporary permit. In accordance with section 12-47-301(10)(a) of the Colorado Liquor Code, she asked the LLA to extend that business' current temporary permit for 60 days, or until the LED made a ruling on the transfer application. Commissioner McLain moved to approve an extension of the Temporary Liquor Permit for Pickle Liquors, LLC, with a new expiration date of September 28, 2014. 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.

**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.

Central City Manager. Daniel Miera, new City Manager for Central City, sent a letter to City residents introducing himself and inviting all to contact him. County Manager Baker said he had spoken at length with Manager Miera about the two entities' relationship.

Magical Mile Gala. The Court Appointed Special Advocates (CASA) for Children, of Jefferson and Gilpin counties, will host its annual Magical Mile fundraising gala on Saturday, August 23 in Denver. Proceeds will benefit advocacy for child abuse and neglect victims.

Gilpin Ambulance Authority Training. The Gilpin Ambulance Authority Board of Directors is sponsoring monthly training classes for emergency responders, at the Ameristar Casino beginning in August.

**Legal Status Report.** County Attorney Jim Petrock advised the Commissioners they would need to hold an executive session to receive legal counsel regarding two litigation matters.

#### **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 meeting, August 20 in Idaho Springs
- Gilpin Ambulance Authority Board, August 26 at the Old Courthouse
- The monthly Coffee with Commissioners informal meeting, August 28 at the Community Center

**Meeting Minutes.** Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for August 5, 2014. Commissioner McLain seconded the motion, which passed by a vote of 3 to 0.

**Adjournment to Executive Session.** Commissioner McLain moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402(4)(b), to receive legal advice on two litigation matters. 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 10:23 a.m.

Signed this 02<sup>nd</sup> day of September 2014