

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

April 21, 2015

A regular meeting of the Board of County Commissioners of Gilpin County was held on April 21, 2015, 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 Gail Watson; Commissioner Linda Isenhardt; County Manager Roger Baker; County Attorney Jim Petrock; and Deputy Clerk to the Board Sharon Cate.

Sale of County-Owned Land. Gilpin County published a Notice of Public Land Sale in the March 19, and 26, 2015, editions of the *Weekly Register-Call*, for four County-owned mining claims to be sold in accordance with C.R.S. 39-11-142 and 39-11-143. The statutes require that: properties acquired through taxes must be sold unless there is a public purpose for them; they must be sold if a bid is made for an amount equal to or greater than the actual value as established by the assessor; they may be sold for lesser amounts; and they may be sold in groups. Proceeds from such sales are disbursed among the taxing entities to which taxes were originally owed. County Manager Baker advised the Board of County Commissioners that the first three of the four mining claims offered today were acquired through taxes, but that the fourth had been part of a property trade and could be sold for either more or less than the actual value, but that the Board was not required to accept any bids.

N007707, Kansas and MS; N007782, Monroe; N012076, Northrop. Chair Schmalz started the bidding at the actual value of each mining claim. Darrell Knudsen, as President of Bonanza Land, LLC, bid \$25,890.00 (the total actual value) for the three mining claims; no other bids were offered.

N011027, American Flag. Chair Schmalz started the bidding at \$4,510.00, the actual value of the mining claim. Darrell Knudsen bid \$4,510.00; no other bids were offered. Chair Schmalz declared the property sold.

Public Hearing—Resolution #15-02—Revisions to Gilpin County Zoning Regulations. Chair Schmalz opened a public hearing for Resolution #15-02, Revisions to the Gilpin County Zoning Regulations, Sections 2.3, 2.11, 3.4 and 3.5. County Planner Ray Rears gave a detailed overview of the proposed revisions explaining that the intent was to clarify the Regulations and decrease conflicting language. Chair Schmalz opened the hearing to public comment. There being none, Chair Schmalz closed the hearing to public comment. Commissioner Watson moved to approve Resolution #15-05, “Adopting Certain Amendments to the Gilpin County Zoning Regulations.” Commissioner Isenhardt 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.)

Boundary Line Adjustment Application—BLA #15-01. County Planner Ray Rears presented a boundary line adjustment application (BLA) for the Quartz Valley Ranch and the City of Black Hawk, Government Lots 10 and 21, and Onondaga Chief mining claim, on Chase Gulch Road. Commissioner Watson moved to approve BLA #15-01, for the Quartz Valley Ranch and the City of Black Hawk, creating new Parcels 1, 2 and 3. Commissioner Isenhardt 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 #14-08. Commissioner Watson moved to approve BLE #14-08 for Risa Campbell, combining three lots on Lower Moon Gulch Road to create a new 1.38-acre parcel known as Parcel 1 and rename Parcel 2. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0. Commissioner Watson moved to accept the road easement on Lower Moon Gulch Road. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

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

Public Hearing—New Liquor License Application. Chair Schmalz opened a public hearing for a new liquor license application filed by Megan Riley, of M & T, LTD, for the Stage Stop Market and Café. Applicant Megan Riley was present. Liquor License Administrator Sharon Cate gave a brief presentation of the application. County Planner Ray Rears advised the Board that the applicant had submitted the property’s zoning information late and that he needed time to perform an inspection. Chair Schmalz opened the hearing to public comment. Resident and business owner John Dunham stated his position on the application and asked questions. Following public comment, Chair Schmalz closed the hearing to public comment. Commissioner Watson moved to approve, at the local level, the application—pending a successful zoning inspection—for new retail liquor store license for M & T, LTD, at 41A Main Street, Rollinsville. Commissioner Isenhardt seconded the motion, which passed by a vote of 2 to 1, with Commissioner Isenhardt voting against. 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.)

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

Treasurer's Monthly Report. Treasurer Alynn Huffman reported on operations in her office for the month of January 2015. She also spoke about the funding distributed through the Secure Rural School District program. County Manager Baker said Gilpin County will retain 34% of the total distribution and the two school districts will evenly split the remaining 66%. Those percentages this year will yield \$12,000 to Gilpin County School District RE-1; \$4,700 to Boulder Valley School District RE-2; and \$8,700 to the County's Road and Bridge fund.

Gilpin Connect Direct Mail Funding. Commissioner Watson said the question of mailing an informational card about the Gilpin Connect healthcare transport service had been on hold, and that now that the service was being used fairly well she thought the mailing was in order. She asked the Board to approve funding the mailing at \$1,200. Discussion among the Board followed. Commissioner Isenhart moved to approve the mailing expenditure in the amount of \$1,200. Commissioner Watson seconded the motion, which passed by a vote of 2 to 1, with Commissioner Schmalz voted against.

Request to Fill Two Positions. Public Works and Facilities Director Bill Paulman requested the Board of County Commissioners' approval to fill two vacant full-time positions for Equipment Operator I and Equipment Operator II. Director Paulman said before receiving an employee's two-week notice today, he had just enough workers to fill the two summer road maintenance crews, without any vacation or sick time. Because of that resignation, he asked the Board to approve hiring two people for Equipment Operator I position and one person for the Equipment Operator II position. Director Paulman further stated that the larger problem is that the Public Works Department is not receiving enough applications to fill vacant positions. Commissioner Watson moved to approve the request to fill the three positions, as proposed by Director Paulman. Commissioner Isenhart 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 on the following legal issues:

1. SB 15-14, legislation regarding marijuana, is progressing. Once that process is completed, the County can then revise its recent marijuana ordinance on grow operations in residential areas.
2. The Board will need to conduct an executive session to receive an update on Gilpin County's litigation against the state treasurer and some of our water rights issues.

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:

- Broadband meeting, April 22, 10:00 a.m., in Georgetown
- Coffee with the Commissioners, April 23, 6:30 p.m., at the Community Center

Meeting Minutes. Commissioner Watson moved to approve the Board of County Commissioners Meeting Minutes for April 7, 2015. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. Resident Heather Worrell referred to the berms left behind by snowplows and said sometimes the berms include rock and roadbase, which is hard for disabled people to move.

Work Session on Water issues. The Board recessed to a work session to discuss water rights issues.

Adjournment to Executive Session. Commissioner Isenhart moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402, to receive legal advice on litigation against the state treasurer and on water rights issues. 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 10:39 a.m.

Signed this 05th day of May 2015.