

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

August 25, 2015

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 25, 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 Isenhart; County Manager Roger Baker; County Attorney Jim Petrock; and Deputy Clerk to the Board Sharon Cate.

Intergovernmental Maintenance Agreement—Emergency Response Command Vehicle. Sergeant Steven Watson, Emergency Manager and Dispatch Supervisor for Gilpin County, presented an Intergovernmental Agreement (IGA) Between the City of Black Hawk, Timberline Fire Protection District, the City of Central, Gilpin County and Clear Creek County Regarding a Maintenance Agreement for a Command Vehicle. He explained that the emergency communications vehicle is owned by Black Hawk and is available to each of the entities for emergencies. The IGA states that normal maintenance expenses are split among the group at an annual cost of \$200 each, while maintenance or repair cost due to specific events will be paid by the agency using the vehicle at that time. Commissioner Watson moved to approve the Intergovernmental Agreement (IGA) Between the City of Black Hawk, Timberline Fire Protection District, the City of Central, Gilpin County and Clear Creek County Regarding a Maintenance Agreement for a Command Vehicle. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Grant Agreement—Colorado Department of Public Safety, 2015 EMPG. Sergeant Steven Watson, Emergency Manager and Dispatch Supervisor for Gilpin County, presented a Grant Agreement between the Colorado Department of Public Safety, Division of Homeland Security and Emergency Management, and Gilpin County. He stated that the purpose of the Agreement was to provide reimbursement funding for 50% of all budgeted expenses related to emergency management, including Sgt. Watson's salary.

Commissioner Isenhart moved to approve the Grant Agreement between the Colorado Department of Public Safety, Division of Homeland Security and Emergency Management, and Gilpin County. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Boundary Line Adjustment Application—BLA #15-04. Community Development Director Tony Petersen presented a boundary line adjustment (BLA) application for Roger Guzman, d.b.a Black Hawk Development Corporation, for two parcels at 5312 Highway 119, south of Black Hawk; Mr. Guzman was present. Director Petersen stated that Mr. Guzman wanted to separate the existing hotel and suite from the remainder of the property to facilitate financial planning for a proposed convenience store/gasoline station following demolition of the existing commercial strip. The overall BLA plan for the total 18.2 acres would continue the requirement of a minimum of 10 acres of open space and would establish a .84-acre parcel for the hotel and suite. Certain other conditions for approval were described as were the boundary line setback requirements; both properties currently operate on a water well and septic system, but Mr. Guzman has applied for inclusion in the Black Hawk/Central City Sanitation District to accommodate plans for expansion.

Commissioner Isenhart moved to approve BLA #15-04 for Roger Guzman, d.b.a Black Hawk Development Corporation, for two parcels at 5312 Highway 119, creating new Parcel 1, 17.4 acres, and new Parcel 2, .84 acres, with the conditions for approval as presented. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Clerk and Recorder's Monthly Reports. Clerk and Recorder Colleen Stewart reported on operations in her office for the months of June and July, 2015, saying that revenues for both months were higher than the same period last year. She predicted that her office would collect approximately \$1.9 million this year.

Intergovernmental Agreements for Coordinated Election, Gilpin County School District RE-1 and Boulder Valley School District RE-2. Clerk and Recorder Colleen Stewart presented two Intergovernmental Agreements between Gilpin County and the Gilpin County School RE-1, and the Boulder Valley School District RE-2, for a 2015 Coordinated Election through which the Clerk and Recorder's Office would perform certain election services for the two school districts. In response to a question from Commissioner Watson, Clerk Stewart stated that a section regarding the Colorado Open Records Act (CORA) would be inserted into the Boulder Valley district agreement, the same as in the Gilpin County district agreement. Commissioner Watson moved to approve two Intergovernmental Agreements between Gilpin County and the Gilpin County School RE-1, and the Boulder Valley School District RE-2, for the 2015 Coordinated Election with the condition that a section addressing CORA be added to the Boulder Valley district agreement. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Voting System Testing. Clerk and Recorder Colleen Stewart invited the Board of County Commissioners to observe the September 29, 2015, Logic and Accuracy testing of Gilpin County's voting equipment by the Colorado Secretary of State's Office, and pilot testing of the new Clear Ballot system.

Treasurer's Monthly Report. Treasurer Alynn Huffman reported on operations in her office for the month of July 2015, saying that the period had been similar to last year, and that she was eagerly awaiting this year's gaming tax

distribution check, as some account balances were low. She cited the very few outstanding tax collections that are overdue as a result of her staff's diligence in contacting property owners. Treasurer Huffman concluded her report by explaining that some casinos have been approved to pay their taxes on a payment plan and theirs will not be advertised as delinquent.

Public Trustee Second Quarter Report. Public Trustee Alynn Huffman reported on operations in that office for the second quarter of 2015 saying that there had been only four mortgage foreclosures so far this year. She further noted that the number of deed of trust releases had been low, so the Public Trustee's Office had seen decreased fees and costs. Commissioner Watson moved to accept the Public Trustee's Second Quarter 2015 Report. Commissioner Isenhardt 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. County Manager Baker noted that the Human Resources report showed that some jobs had been open for a long time indicating that Gilpin County is having trouble attracting qualified candidates. He said he hoped that the topic could be addressed in the 2016 budget hearings. County Manager Baker also called attention to the Jail report, which listed 100 bookings per month, a number that was unthinkable years before, but is standard now.

History Colorado Grant Award—Belvidere Theater. Gilpin County has received notice of its \$11,250 grant from the History Colorado State Historical Fund for a Historic Structure Assessment of the Belvidere Theater, which the County has owned since June, 2015. County Manager Baker said the next step would be to remove the contents of the building, a process he has started by contacting antique dealers and wholesalers

Project Status Report. County Manager Baker reported on the following County projects/topics:

- Commissioner Watson has drafted a letter to local governments and stakeholders seeking support for the Department of Local Affairs (DOLA) grant for broadband services and explaining the County's position on SB 152.
- Construction on the new cell phone tower near the Justice Center is scheduled to begin shortly; United Power asked about using the Justice Center tower for a radio repeater, but is also in discussions with Fidelity Tower for space on the new tower. In response to a question from Commissioner Watson regarding the Dakota Mountain lease, County Manager Baker said that Surveyor Corey Diekman would complete his work on the site shortly, and a new lease agreement could then be prepared.
- County Manager Baker said the carpet runner on the stairways in the Old Courthouse might be one of the items considered for inclusion in a DOLA Energy/Mineral Impact Grant application, along with several other safety and cosmetic improvements, including removing of the colony of bats and mitigation of the lead-based paint on the window sills.
- Commissioner Watson suggested nominating CSU Extension Agent Irene Shonle for the annual Alton Scofield Award as the state's outstanding agent; County Manager Baker said he had done so in the past, and would forward Commissioner Watson his previous submittals for her use.
- Discussion followed about the use of audio equipment to record meetings; County Manager Baker explained that per Gilpin County Resolution #01-09, not only are the written minutes the legal record of the meeting, but that other electronic recording of the meeting (except public hearings, etc.) is actually not allowed.

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

1. There is no procedure for citizen initiatives or referendums at the county level, as there is for cities.
2. County Attorney Petrock has received notice on the trial schedule in the County's pending case against the State Treasurer regarding the incorrect distribution of gaming tax revenue. The County's brief is due September 25, 2015.

Request to Fund Bridge Repair. County Manager Baker presented a funding request on behalf of Public Works/Facilities Director Bill Paulman for repair work on one of three bridges on Tolland Road. He stated that all three were structurally sound, but that the asphalt on one has deteriorated to the extent that it must be removed and new asphalt applied. Some of the work could be done by the County's Road and Bridge crew, reducing some of the costs in the \$37,000 estimate, but the Road and Bridge Fund does not have the remaining funds needed for contracted work. The Board of County Commissioners agreed to discuss the funding request during the 2016 budget hearings after receiving additional information.

2014 Financial Statements Review. Gilpin County Finance Officer Clorinda Smith and John Cutler, CPA, Principal, John Cutler and Associates, presented Gilpin County's 2014 Financial Statements Review. Mr. Cutler stated that the County had increased its net position and fund balances and was generally in good financial condition and that he had no questions about any of the County's actions. He also stated that Finance Officer Smith had performed most of the preliminary work in the audit for the second year and that she had done an excellent job. She spoke briefly about several equipment leases that should all be paid off in 2017. Commissioner Isenhardt moved to accept

the 2014 Financial Statements Review as presented. Commissioner Watson 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:

- Rollins Pass Restoration Association's annual picnic, East Portal, August 30
- Meeting with Congressman Jared Polis, Boulder office, August 31
- Nederland shooting sports public comment, Nederland Community Center, August 31
- Mammoth Gulch tour, September 2

Jefferson Center for Mental Health. Commissioner Isenhart said that at a recent Jefferson Center for Mental Health (JCMH) board meeting, that group had asked about Gilpin County's need for mental health care. She had replied to them that the JCMH counselor assigned to Gilpin County is good, and works with an expanding list of clients. Commissioner Isenhart said the County needs to let people know about this service. She also described the County's Gilpin Connect service for healthcare transport. Commissioner Watson said the Gilpin Connect is well used, and has quite a few bookings for September.

Employee Retirement Letters. Commissioner Watson said she saw the possibility of receiving more employee retirement letters, and wondered if the Board of County Commissioners should start a discussion on the topic.

Information on potential repeal of SB 152. Commissioner Watson said she saw a need to educate County residents on the potential repeal of SB 152, what it is, how the repeal could help bring broadband into the County. Although no more than \$50 of County money can be spent on such an endeavor, individuals may spend their own money on this. Commissioner Schmalz said the information on SB 152 needed to be discussed at every *Coffee with the Commissioners* forum at the Community Center.

Elected Officials Salaries. Commissioner Schmalz said Colorado Counties, Inc., (CCI) is deciding what to do about the salary bill. About half of the Commissioners who attended the recent CCI Mountain District meeting said they would run a bill for a less-than-30% increase; some counties won't change the current structure; CCI will start working on the bill sometime in September. It was made clear that if Gilpin County chooses to make some sort of increase this year, the Board can still find a way to amend that. Commissioner Watson said such actions would give the Board some flexibility.

James Peak Wilderness Shooting Buffer Zone. Commissioner Watson said she will draft a letter supporting proposed closures, and establishing a shooting buffer zone around the portion of the James Peak Wilderness in Gilpin County.

Meeting Minutes. Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for August 11, 2015. 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 10:22 a.m.

Signed this 08th day of September 2015.