

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

December 8, 2015

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 8, 2015, at the Gilpin County Old Courthouse. Chair Schmalz called the meeting to order at 9:02 a.m. In attendance were Chair Buddy Schmalz; Commissioner Gail Watson; County Manager Roger Baker; County Attorney Brad Benning; and Deputy Clerk to the Board Sharon Cate. Commissioner Linda Isenhart was absent.

**Certificate of Purchase.** Treasurer Alynn Huffman stated that she needed to provide a Certificate of Purchase to a party that had purchased the lien on a property that was not purchased at the November 18, 2015, tax lien sale, but that because the amount was over \$10,000.00, assignment of the Certificate had to be approved by the Board of County Commissioners, in accordance with Resolution #08-34. Commissioner Watson moved to approve assignment of the Certificate of Purchase for Schedule #R002437 to the TLC Club in the amount of \$40,043.50. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Treasurer's Monthly Report.** Treasurer Alynn Huffman reported on operations in her office for the month of November, 2015, saying that County tax collections were a bit behind the same period last year, but that a casino that had been on a payment plan will pay the remaining amount on or close to December 23, 2015. She also spoke about the differing amounts in some of the County deposit accounts, reflecting the need for liquidity against the desire for marginally higher interest rates.

**Web Site Development.** Web Communications Coordinator Vicki Nemec reported to the Board of County Commissioners that she had explored options to apply for a Statewide Internet Portal Authority (SIPA) grant for the purpose of redesigning Gilpin County's web site, and that prior to applying, the County would need to have an Eligible Governmental Entity Agreement in place with SIPA. She also stated that the current grant application cycle would end on January 8, 2016, so it was important to act quickly if the decision was made to apply. Commissioner Watson asked about other URLs, whether or not Gilpin County could continue to use its own, and whether the County could pursue obtaining additional, simpler web addresses; she also suggested checking out Civic Plus, which is a developer used by Clear Creek and Park counties. Commissioner Watson moved to approve the request to sign an EGE Agreement in preparation for apply for a SIPA grant to redesign the County's web site. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Clerk and Recorder's Monthly Reports.** Clerk and Recorder Colleen Stewart reported on operations in her office for the months of August, September and October, 2015. Parenthetically, she noted that she was also impressed with the Central City website, which was developed with the assistance of Statewide Internet Portal Authority; she had also used SIPA for her digitizing process. Clerk Stewart also reported on election matters: the Secretary of State has formed a committee that is reviewing the election equipment systems utilized in the last election; that committee is still taking testimony, but will report to the Secretary of State soon, who will hopefully certify systems (including Clear Ballot, pilot tested in Gilpin County) by early next year. In Gilpin, 4271 ballot were mailed; 1524 were voted, including 385 voters who utilized the drop box in mid-County, and 416 voters who voted at the Courthouse; Commissioner Watson asked how many voters used the Courthouse for voting/dropping off ballots on Election Day itself; Clerk Stewart said she would find that information and report back. Overall, 64% of voters did not cast a ballot, with the lowest percentage of voters from the northern part of the County.

In response to a question, Clerk Stewart and County Manager Baker discussed the sales tax collected on vehicles and rebated to the two cities, which administer the taxes very differently.

**Request to Review/Resurvey a Position.** Public Works/Facilities Director Bill Paulman requested the Board of County Commissioners' approval to review/resurvey the positions of Facilities Division Manager and Facilities Maintenance Team Leader. After considerable discussion, the matter was tabled until the first meeting in January, when Commissioner Isenhart would be present; direction was also given to staff to provide some additional information on financial impacts.

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

**Liquor License Renewal Application—Last Shot, LLC.** Liquor Licensing Administrator Sharon Cate noted the Sheriff's Office had indicated there were no problems with the annual retail liquor license annual renewal application, and further noted the charitable activities of the owners in hosting fundraisers for various County causes. Co-owner/Operating Manager Barbara Stewart was present to answer any questions regarding the application. There being none, Commissioner Watson moved to approve at the local level the application for the annual renewal of the hotel restaurant license for Last Shot, LLC, dba Last Shot, located at 17268 Highway 119,

with a current expiration date of February 28, 2016. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

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

**Purchase of Services Agreement with Jefferson County Public Health.** County Manager Baker presented the Purchase of Services Agreement with Jefferson County Public Health (JCPH), which outlines the scope of work to be performed by JCPH and the costs for those services, stating that while not all costs were completely final, the Commissioners had discussed the Agreement with JCPH staff during the budget hearings. Commissioner Watson moved to approve the Purchase of Services Agreement with Jefferson County Public Health (JCPH); Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0. County Attorney Benning said that Petrock & Fendel, P. C., had reviewed and approved the contract.

The Board of Health 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.

IT Consulting Services Agreement, 2016—Teryx, Inc. At their previous meeting on November 24, 2015, the Board of County Commissioners discussed an agreement for information technology (IT) consulting services to be provided by Teryx, Inc., and directed County Manager Baker and Tobias Tonelli, President of Teryx, Inc., to add a clause addressing support for and troubleshooting of the Internet connection. The Agreement was revised and reviewed today. Commissioner Watson moved to approve the agreement; Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Legal Status Report.** County Attorney Brad Benning advised the Commissioners on the following legal issues:

State Treasurer/Gaming Tax Litigation. In Gilpin County's lawsuit against the Colorado State Treasurer regarding the inaccurate distribution of gaming revenue, the Attorney General's Office had asked for a month extension, which was granted, putting the previous schedule approximately one month behind; oral arguments will now likely be heard in April.

Water Cases. The augmentation case should be settled shortly; a second case should be settled by January. A third case, regarding changes to water rights on North Clear Creek, has progressed to the point where expert testimony has been solicited; the County's water engineering firm, Bishop Brogden, will respond and it is hoped the case will be settled before a scheduled April trial date.

**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:

- Work session with State Representative KC Becker, today at 11:00 a.m.
- Holiday luncheon, Tuesday, Dec. 15, 11:00 a.m. to 1:00 p.m., Century Casino
- Lunch with Department of Local Affairs Executive Director Irv Halter Thursday, Dec. 17, Stage Stop

**Resolution #15-15—Adopting a Schedule of Public Meetings for 2016.** County Manager Baker presented a revised schedule of Board of County Commissioners meetings for 2016, and asked that the Commissioners keep the first week of August free for County Board of Equalization Hearings, which could be numerous and lengthy due to pending reassessment. Commissioner Watson moved to adopt Resolution #15-15, "Adopting a Schedule of Public Meetings for the Board of County Commissioners for 2016." Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Colorado Counties, Inc., Proxy.** Commissioner Watson moved to designate County Manager Baker as proxy for Colorado Counties, Inc., steering committees as listed, with Human Services Director Betty Donovan as the Health & Human Services steering committee proxy. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Meeting Minutes.** Commissioner Watson moved to approve with changes the Board of County Commissioners Meeting Minutes for November 24, 2015. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Boundary Line Elimination Application—BLE #15-11.** Community Development Director Tony Petersen presented a Boundary Line Elimination (BLE) application for four lots in Sleeping Giant Subdivision, observing that the application was extremely straightforward and consistent with County policies. Commissioner Watson moved to approve BLE #15-11 for Laura K. King, combining four lots in the Sleeping Giant Subdivision, Unit 1, into two larger lots consisting of: Lots 2 and 3 to become Lot 2A, 1.28 acres; and Lots 4 and 5, to become Lot 4A, 1.29 acres. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

**Adjournment.** There being no further business to come before the Board, they adjourned at 10:00 a.m.

Signed this 22<sup>nd</sup> day of December, 2015.