

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

April 26, 2016

A regular meeting of the Board of County Commissioners of Gilpin County was held on April 26, 2016, at the Gilpin County Old Courthouse. Chair Isenhart called the meeting to order at 9:00 a.m. In attendance were Chair Linda Isenhart; Commissioner Buddy Schmalz; Commissioner Gail Watson; County Manager Roger Baker; County Attorney Jim Petrock; and Deputy Clerk to the Board Sharon Cate.

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

Public Hearing—Special Event Liquor Permit—Gilpin County Fair. At 9:05 A.M. Chair Isenhart opened a public hearing for a Special Event Liquor Permit to sell beer at the 2016 Gilpin County Fair. Fair Coordinator Heather Pearce presented the application and explained how she intended to manage a home brewers contest, a new event planned to take place a few days prior to this year's Fair, with results to be announced at the Fair. Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed the hearing to public comment. Commissioner Watson moved to approve at the local level the Special Event Liquor permit for the 2016 Gilpin County Fair, 230 Norton Drive, for August 20 and 21, 2016. Commissioner Isenhart seconded the motion, which passed by a vote of 2 to 0, with Commissioner Schmalz abstaining. Chair Isenhart 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.

May is Mental Health Month Proclamation. Two representatives of the Jefferson Center for Mental Health (JCMH), Lisa Fisher, Director of Adult Outpatient Services, and Kara Campbell, Mountain Services Manager, presented the May is Mental Health Proclamation. Director Fisher gave an overview of the purpose of the Proclamation, and Manager Campbell gave brief status report of services currently provided to Gilpin County.

Commissioner Watson moved to adopt the May is Mental Health Month Proclamation. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

VOA/Senior Services Contract Renewals. Human Services Director Betty Donovan presented two Agreements for renewal between Gilpin County and Volunteers of America (VOA) for certain senior services. She noted that the financial obligations are the same as in past years, but that some changes had been made regarding the purpose of the agreement, the inclusion of specific insurance requirements and the scope of responsibilities between VOA and Gilpin County. Per the two Agreements, Gilpin County provides congregate meals and the Meals on Wheels program, plus a program coordinator and a driver for the transportation services program. VOA pays Gilpin County \$26,160 annually for these services. Commissioner Schmalz moved to approve the two Sub-Contractor Service Agreement Renewals, pending County Attorney Jim Petrock's review of the documents. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Request to Fill a Position. Detentions Captain Tonia Kapke requested the Board's approval to fill two vacant jail cook positions, one part-time and one full-time. Human Resources Manager Susie Allen was present to provide information. Captain Kapke said she has been considering contracting for this service, but that for the time being, she needed these employees. Discussion followed concerning policy on the eligibility of incoming employees to receive the upcoming salary increase, scheduled for July. Commissioner Schmalz moved to approve the request to fill two positions. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Request to Fill a Position. Detentions Captain Tonia Kapke requested the Board's approval to fill a vacant full-time position for Community Service Officer (CSO), a worker at the control desk in the Jail. She explained that a current employee would be leaving in June, and that she wanted to start the eight-week training of a new CSO as soon as possible to avoid any down time. Commissioner Watson moved to approve the request to fill a position. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

First Addendum to Memorandum of Understanding Regarding Law Enforcement Services. County Manager Baker informed the Board that Central City had proposed a First Addendum to the Memorandum of Understanding (MOU) in place between Central City and Gilpin County, through which the Gilpin County Sheriff's Office (GCSO) provides law enforcement services to cover staffing shortages on the Central City Police Department. He stated that the MOU was somewhat of a temporary arrangement, while legal counsel for both agencies work on a more formal Intergovernmental Agreement (IGA). Sheriff Bruce Hartman, Undersheriff Jon Bayne, Detentions Captain Tonia Kapke and Patrol Captain Tom Ihme were present to discuss the proposed First Addendum. County Manager Baker explained that the City now needed more coverage than had previously been agreed upon, prompting two amendments in the First Addendum: 1) change the hourly rate paid for deputies from \$25.00 to \$36.07; and 2) for each two-week pay period an additional deputy or two is employed to cover Central City, the City will pay GCSO \$2,885.60 per deputy (\$5,771.20 for two). Undersheriff Bayne emphasized the need to hire two deputies now, and two more soon, to accommodate the MOU and to ensure there are no gaps in coverage, particularly during training of new deputies.

Lengthy discussion followed, with the Commissioners asking numerous questions, including how the mounting legal fees for work on the MOU and IGA were to be paid.

Commissioner Schmalz moved to approve the First Addendum to Memorandum of Understanding Regarding Law Enforcement Services as presented today. Commissioner Watson seconded the motion. County Attorney Jim Petrock advised the Board that they were under no obligation to enter into an IGA, there could be more amendments forthcoming, and that eventually the determination of legal costs would have to be addressed. Captain Ihme reminded the group that Central City has provided GCSO with three police vehicles. The motion passed by a vote of 3 to 0.

Commissioner Schmalz moved to hire two deputies under the current MOU. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Commissioner Schmalz moved to hire two additional deputies when vacancies occur. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Recess. The Board of County Commissioners recessed from 10:02 a.m. until 10:10 a.m.

Request to Fill a Position. Public Works/Facilities Director Bill Paulman requested the Board's approval to fill a vacant full-time position for Transfer Station Attendant. Human Resources Manager Susie Allen was present to provide information. After brief discussion, Commissioner Watson moved to approve the request to fill a position. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Request to Fill a Position. Assessor Anne Schafer requested the Board's approval to fill a new full-time position for Office Assistant as an alternative to filling the vacant Chief Deputy Assessor position, noting that that in Colorado an assessor is not legally required to have a Chief Deputy. County Attorney Petrock agreed and added that state statute says if an assessor is unable to do his/her job, the Board of County Commissioners can appoint a deputy. Assessor Schafer stated that she planned to take on most of the Chief Deputy's duties, but that a front-office employee could relieve her of many customer service and administrative duties. Discussion followed with the Board asking numerous questions about the unusual change in staffing structure and about employees moving to another position, within the same pay grade, at the same rate of pay. Human Resources Manager Susie Allen said that type of move would be one of the topics she planned to include for review in the May 10, 2016, work session with the Board. Assessor Schafer said hiring an office assistant instead of a Chief Deputy would save approximately \$20,800 annually.

Commissioner Watson moved to approve the request to fill a new office assistant position as submitted. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 1, with Commissioner Isenhart voting against.

Parks and Recreation Department Restructuring Proposal. Recreation Services Manager Kathi Lambert proposed the restructuring of staff in her department by eliminating three jobs (one full-time, two part-time) as currently described, and replacing them with two full-time jobs and increasing the existing office assistant position from part time to full time. These changes would result in adding approximately \$33,000 annually to the Department's budget. The Board said they did not want to survey any positions until 2017, but that maybe Human Resources Manager Susie Allen could call some other counties to do some job comparisons. Manager Allen said it would be difficult to calculate what the costs of these new positions might be, due to differences in individual insurance needs, but that she could work on some estimates.

County Manager Baker said the Parks and Recreation Department was in an unusual situation, and that the concern now was the potential liability for the County and the requirements for some positions to have certifications. He added that it was inadvisable to continue to allow Recreation Services Manager Lambert to cover as many positions as she has been, and that additional staff would help keep patrons of the Community Center safer. Discussion followed including a consensus to change Ms. Lambert's title to Parks and Recreation Director, but to not make a change in pay at this time, and to revisit the idea of restructuring after Manager Allen has more information on changes in pay for redefined positions

Commissioner Watson moved to change Recreation Services Manager Lambert's title to Parks and Recreation Director. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Treasurer and Public Trustee's Reports.

Monthly Report—March 2016. Treasurer Alynn Huffman reported on operations in her office for the month of March 2016. In response to a question from Commissioner Isenhart, Treasurer Huffman provided past reports that explained the difference in the district payable amount in 2015 and 2016.

Public Trustee's First Quarter Report. Public Trustee Alynn Huffman gave a detailed report on operations in that office during the 2016 First Quarter, describing some functions such as redemptions and foreclosures. Commissioner Schmalz moved to accept the Public Trustee's 2016 First Quarter Report. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Recess. The Board of County Commissioners from 11:03 a.m. to 11:12 a.m.

The Board of County Commissioners recessed and convened as the Board of Adjustment.

Public Hearing—Variance Request—BOA #16-02. Chair Isenhardt opened the public hearing for a variance request for David Wacker, 258 Lake Front Drive, Lakeview Subdivision. Community Development Director Tony Petersen presented the applicant's request for relief from property line setback requirements to allow for a newly constructed garage inadvertently located 27" from the west (front) property line to remain at that location with no further action. The garage encroaches into the required 30-foot setback by nearly three feet. Applicant David Wacker was not present. Director Petersen stated that Mr. Wacker did obtain a permit prior to construction, but that he began construction before reading the surveyor's diagram; afterward, he found that the garage had been built into the setback. Director Petersen recommended charging a \$500.00 fee for the after-the-fact variance, as permitted by code.

Chair Isenhardt opened the hearing to public comment. There being none, Chair Isenhardt closed the hearing to public comment. Commissioner Watson moved to approve variance request BOA #16-02, conditional upon payment of an additional \$500.00 for an after-the-fact variance for David Wacker, 258 Lake Front Drive, Lakeview Subdivision. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. Chair Isenhardt 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 Board of Adjustment adjourned and reconvened as the Board of County Commissioners.

Boundary Line Elimination Application—BLE #16-01. Community Development Director Tony Petersen presented the following Boundary Line Elimination (BLE) application:

Commissioner Watson moved to approve BLE #16-01 for American Land, LLC, combining Lots 069 and 070, Severance Lodge Subdivision, to create a new 1.28-acre parcel, Lot 069A, Severance Lodge Subdivision. Commissioner Schmalz 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.

Status Report. In response to a question from Commissioner Watson, County Manager Baker said that he had received an inquiry regarding sale of all or part of the County's slash processing site for construction of a warehouse facility; Public Works Director Bill Paulman had explained that the site was too valuable, unless the money offered were sufficient to purchase property adjacent to the Public Works facility, such as that in Rudolph Ranch.

Coroner Training. County Manager Baker explained that the correspondence addressed to the Commissioners from the Colorado Coroner's Standards and Training Board was routine, and that Coroner Zane Laubhan was always able to demonstrate compliance with all requirements.

Legal Status Report. County Attorney Jim Petrock advised the Commissioners they would need to hold an executive session to discuss current litigation and the threat of potential litigation.

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:

- Local Emergency Preparedness Committee, April 28, at the Sheriff's Office
- Colorado Counties, Inc., steering committees, April 29

CSU Extension Advisory Committee Appointments. After four recent resignations from the Colorado State University Extension Advisory Committee, three letters of interest were received. Extension Agent Dr. Irene Shonle said the outgoing committee had reviewed the letters and recommended appointment of all three. Commissioner Schmalz moved to appoint Kymberly Mercier, Erin Trumble and Clare Hays. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Colorado Opportunity Scholarship Grant Letter of Intent. The Colorado Opportunity Scholarship Initiative makes funds available for scholarship programs in communities; \$1,279.00 in matching funds has been offered to Red Rock Community College. County Manager Baker recommended that the Commissioners sign a Letter of Intent to start the process allowing Red Rocks Community College to receive the one-to-one matching funds to assist eligible students from Gilpin County High School. Commissioner Schmalz moved to sign the Letter of Intent. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Meeting Minutes. Commissioner Watson moved to approve as presented the Board of County Commissioners Meeting Minutes for April 12, 2016. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Adjournment to Executive Session. Commissioner Watson moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402(4)(b), to receive legal advice on current and potential litigation. 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 11:30 a.m.

Signed this 10th day of May, 2016.