

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

August 23, 2016

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 23, 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.

Public/Press Comment. John Scarffe, reporter for the Mountain-Ear, said he was having trouble hearing people speak at the Board of County Commissioners meetings, that he thought the problem had been worse lately, and that it was harder to hear presenters than the Board. Commissioner Isenhart said the Board would try harder to speak into the microphones.

Request to Hire into the Range—Jail Cook. Undersheriff Jon Bayne, Detentions Captain Tonia Kapke and Human Resources Manager Susie Allen asked the Board to consider allowing them to advertise the part-time Jail Cook position at a starting pay of \$14.64 per hour, as the current rate of \$13.24 to \$13.90 has attracted no applicants since March, 2016. Because the jail kitchen produces meals for the Senior Program, that Program would pay four (4) hours of that position's salary per week. If approved, the rate for the current full-time cook would need to be increased as well. The total potential increase for these two adjustments would have a financial impact of \$4,950.40 annually. Commissioner Watson moved to grant the request to raise existing cook salary for full-time and part-time cooks. Commissioner Schmalz seconded the motion, and asked Manager Allen if she anticipated other positions at this level needing to be raised. She replied that individual adjustments do create some internal equity challenges and that she was aware of other similar proposals being planned in some departments and offices. The motion passed by a vote of 3 to 0.

Human Services Items. Human Services Director Betty Donovan presented the following topics for the Board of County Commissioners' consideration; Human Resources Manager Susie Allen assisted with the second and third items.

Memorandum of Understanding—Colorado Works and Child Care Assistance Program. The Memorandum of Understanding (MOU) with the Colorado Department of Human Services for the Colorado Works Program and the Colorado Child Care Assistance Program covers the period of July 1, 2016, through June 30, 2017. Director Donovan explained that the MOU is an annual performance contract to identify a county's responsibilities in implementing the two Programs, it has been in place since 2006, and that funds for the Programs are provided through Community Service Block Grants. Specific updates from the previous MOU were discussed. Commissioner Schmalz moved to approve the MOU with the Colorado Department of Human Services for the Colorado Works Program and the Colorado Child Care Assistance Program as presented. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Request to Review/Resurvey Senior Services/Transportation Supervisor Position. Director Donovan and Human Resources Manager Susie Allen asked the Board to consider changing the title for this position and moving it from pay grade 70 to 75, due to the plan to increase the number and level of responsibilities. The proposed changes would have a financial impact of \$2,515.46 annually. Director Donovan noted that the supervision of the Gilpin Connect healthcare transportation program will come under this supervisor, along with the Senior Aides. Discussion followed regarding using the Gilpin Connect driver and Senior Aide drivers to cover various needs, such as senior meals, and to improve the billing for Gilpin Connect rides. Commissioner Watson moved to approve the position's title change and the pay grade increase. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Request to Review/Resurvey Case Manager Position. Director Donovan asked the Board to consider the review and resurvey of the Case Manager Supervisor position due to the complexity of the duties and the need for a greater span between the Case Managers' salaries and that of the Supervisor. Human Resources Manager Susie Allen noted that her office had performed some informal surveys with similar-sized counties, and that a formal survey would cost approximately \$8,000. Discussion followed regarding the effects of raising individual pay rates versus correcting the entire pay plan, particularly when the position in question had not been hard to fill. The Board agreed to take no action on the request at this time.

Treasurer's Reports. Treasurer and Public Trustee Alynn Huffman gave the following reports:

Treasurer's Monthly—July, 2016. Treasurer Huffman said the balance in Total County Funds for this year compared to the same month last year was higher due to less spending, plus timelier payment of property taxes and other factors.

Public Trustee's Second Quarter—April through June, 2016. Commissioner Isenhart noted that the foreclosure rate had decreased considerably compared to the second quarter of 2015. Commissioner Schmalz moved to approve the Public Trustee's Second Quarter Report—April through June, 2016. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Clerk and Recorder's Items. Clerk and Recorder Colleen Stewart presented the following:

Monthly Report—July, 2016. Clerk and Recorder Stewart said the past month had been trying, in that one full-time employee in the Motor Vehicle division had resigned, another was on leave, and that the remaining staff had conducted approximately \$176,000 worth of business. She also noted that a trainer from the State Motor Vehicle office had worked with her staff and helped them for one day at the end of the month, a particularly busy time for that office.

Intergovernmental Agreement for Coordinated Election, City of Black Hawk. Clerk and Recorder Stewart stated that legal fees were now included in each intergovernmental agreement (IGA), plus set-up fees and per voter fees, with the State paying a portion of them. She also explained that a ballot that includes write-in candidates requires extra election judges, which affects an entity's contract cost. Commissioner Watson moved to approve the Intergovernmental Agreement for Coordinated Election with the City of Black Hawk. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Intergovernmental Agreement for Coordinated Election, City of Central. Commissioner Schmalz moved to approve the Intergovernmental Agreement for Coordinated Election with the City of Central. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Intergovernmental Agreement for Coordinated Election, Boulder Valley School District. The Boulder Valley School District ballot will include a question that requires a TABOR notice, which Clerk and Recorder Stewart will set up. Commissioner Watson moved to approve the Intergovernmental Agreement for Coordinated Election with the Boulder Valley School District. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Recess. The Board recessed from 10:00 a.m. to 10:06 a.m.

Public Hearing—Zoning Code Revisions—Resolution #16-08. Chair Isenhart opened a public hearing for Resolution #16-08, "Approving Revisions to Sections 2.2, 2.3, 2.10, 2.11, 2.14, 2.15, 3.1, 4.3 and 7.0 of the Gilpin County Zoning Regulations." Community Development Director Tony Petersen presented the proposed revisions stating that most were for the sign code portion, due to recent rulings by the United States Supreme Court. He gave a detailed explanation of each section's proposed revisions. Lengthy discussion with the Board ensued.

Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed the hearing to public comment. Commissioner Schmalz moved to continue the public hearing to September 20, 2016, 10:00 a.m., for Resolution #16-08, "Approving Revisions to Sections 2.2, 2.3, 2.10, 2.11, 2.14, 2.15, 3.1, 4.3 and 7.0 of the Gilpin County Zoning Regulations." Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. 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.)

Resolution #16-07—Lease/Purchase of Truck. Finance Officer Clorinda Smith presented a resolution for the County's lease/purchase of a 2017 Peterbilt truck cab and chassis to be used in the Public Works and Facilities fleet. After brief discussion of the payment procedure, Commissioner Watson moved to approve Resolution #16-07, "Authorizing the Execution and Delivery of a Master Governmental Lease-Purchase Agreement and Supplement No. 376285-404 Thereto with Respect to the Acquisition, Purchase, Financing and Leasing of Certain Equipment for the Public Benefit; Authorizing the Execution and Delivery of Documents Required in Connection Therewith; and Authorizing the Taking of all Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution." Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

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

Onsite Wastewater Treatment System Variance Application. Community Development Director Tony Petersen presented the following onsite wastewater treatment system variance application:

BOH #16-01. Oscar Barlow, 218 Caesar Road, Colorado Sierra Delta Subdivision. Director Petersen stated that current state and county code require a 100-ft. separation between a water well and soil treatment areas (leach field). Mr. Barlow, 477 Rangeview Drive, was present and explained that the subject property and home was being planned for family members and that his concern was maintaining water quality. Commissioner Watson moved to approve the onsite wastewater treatment system application as presented. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

The Board of Health adjourned and reconvened as the Board of County Commissioners.

Subdivision Exemption. Community Development Director Tony Petersen gave a detailed presentation of an application for Senate Bill [35] exemption, SBE #16-01, saying that the subject parcel at 110 Douglas Mountain

Road had been inaccurately divided from a larger parcel in 1983 by the owners at that time, and that the inaccuracy had not been discovered until the current owners entered into a sales transaction with some prospective buyers. Current owner Alex Gutierrez attended today's Board meeting and explained that in trying to sell his land, he learned that the water well had never been permitted by the State. In response to a question from County Attorney Jim Petrock, Community Development Director Petersen stated that the now illegal parcel was not part of the Douglas Mountain subdivision plat, and that the legal description needed to be corrected and updated. He concluded his comments by saying that a private surveyor would be working with Mr. Gutierrez on the legal description and on the road right-of-way.

Commissioner Schmalz moved to approve SBE #16 01, making the subject parcel exempt from the definition of subdivided land, as presented. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Recess. The Board recessed from 11:45 a.m. to 11:55 a.m.

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 pointed out the alarmingly high numbers of inmates in the jail.

Cold Springs Fire—Animal Rescue. Boulder County Animal Rescue oversaw the operation to relocate animals from the Cold Springs Fire area in July, and commended the Gilpin County Animal Rescue Team (GCART) for their speedy activation on short notice. County Manager Baker said GCART had received and cared for hundreds of animals displaced by the fire and had done a great job.

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

1. The Intergovernmental Agreement for Law Enforcement between the City of Central and Gilpin County is being reviewed by both parties, but there are numerous, complex legal issues that will take time to resolve.
2. The renewal date of September 1 for the Dakota Mountain lease (for the communications repeater site) with Nycon is fast approaching and will require discussion in executive session.

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:

- Colorado Counties, Inc., Mountain Division, August 25, Edwards, Colorado

Signage Request. Commissioner Watson reported that she had recently attended the annual meeting of the Greater Rollinsville Community Association (GCRA), along with Timberline Fire Protection District Chief Glenn Levy and Gilpin County Emergency Operations Manager/Communications Supervisor Sgt. Kevin Armstrong. She said much of the discussion focused on transient camping and the various "forest watch" groups that have formed as a result of the Cold Springs fire and others, and that the Corona Heights subdivision has experienced an increase in petty crime and people looking for access to public (Forest Service) land. Property owners in that area have requested the County's assistance with signs at the subdivision entrance to let visitors know that there is no such public access within the subdivision.

Public Works/Facilities Director Bill Paulman and Undersheriff Jon Bayne joined today's meeting, noting the difficulties in placing such signs. Lengthy discussion followed.

Commissioner Watson moved that the County agree to install two signs that say "No Access to Public Lands," with the cost to be reimbursed by GCRA. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

FTA/CDOT 5304 Grant. The Colorado Department of Transportation (CDOT) will conduct a planning survey of public transportation needs in Gilpin and Clear Creek counties; a Federal Transit Administration grant through CDOT is available. The Senior Resource Center (SRC), which has a considerable transportation program, has offered to write the grant application for a fee of \$500. Commissioner Watson moved to approve an expenditure of \$250 as Gilpin County's half of the total fee to have SRC begin writing the grant application, pending further conversation with the Clear Creek County Commissioners on the allocation of expenses. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Senior Housing Sanitation. Commissioner Schmalz advised the Board that Gilpin Senior Living (GSL) has request a letter to the Black Hawk/Central City Sanitation District declaring Gilpin County's intention to allowing GSL facilities to connect to the County's sewer line. County Manager Baker will prepare such a letter for the Board's signature.

Meeting Minutes. Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for August 9, 2016, as presented. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. Rebecca Shirey asked if she had to have approval to put a sign in her driveway, to prevent people from driving through her property. Commissioner Watson responded that such approval was not required.

Adjournment to Executive Session. Commissioner Schmalz moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402 (4)(e), to receive legal advice on a property lease. 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 12:40 a.m.

Signed this 06th day of September, 2016.