

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

June 23, 2009

A regular meeting of the Board of County Commissioners of Gilpin County was held on June 23, 2009, at the Gilpin County Old Courthouse. Chair Whitman called the meeting to order at 9:00 a.m. In attendance were Chair Forrest Whitman; Commissioner Jeanne Nicholson and Commissioner Buddy Schmalz; County Manager Roger Baker; County Attorney Jim Petrock; and Sharon Cate, Deputy Clerk to the Board.

**Notice of Public Meetings.** The public meetings in the upcoming week that could be attended by more than one Commissioner and at which public business may be discussed will include:

- Ambulance Authority Transition Committee, June 24, 2009, 1:00 p.m. at Central City Hall

**Public/Press Comment.**

Lynn Volkens of *The Gilpin County News* had questions regarding Gilpin County's change to a new public health director.

Joe Phillips expressed his appreciation to the Board of County Commissioners and the Planning Commission for their help and cooperation in revising the Gilpin County Zoning Regulations, saying the changes were necessary to address [pine] beetles and other concerns. He also referred to the Community Wildfire Protection Plan and offered his help on future issues.

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

**Public Health Agency Contracts.** Gilpin County Public Health Agency Director Jennifer Lavelly presented the following two contracts between Gilpin County and the Colorado Department of Public Health and Environment:

Task Order Contract Waiver #154. The scope of work for this Task Order is for Gilpin County to provide support for public health services, as established by the State Board of Health, and to participate in assessment and planning efforts at the state, regional and local level facilitated by the Office of Planning and Partnerships. Commissioner Nicholson moved to approve Task Order Contract—Waiver #154, Routing #08 FAA 00021. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Contract Amendment #1. Amendment #1 renews the Master Contract for one year, modifies the Statement of Work and incorporates a new provision concerning monitoring of vendor performance on State contracts. Commissioner Schmalz moved to approve Master Contract Amendment #1, Routing #10-00301. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

**Resolution #09-15, Naming Mark B. Johnson, M.D., Public Health Director for Gilpin County.** Commissioner Schmalz moved to approve Resolution #09-15, "Naming Mark B. Johnson, M. D. the County Public Health Director for Gilpin County" and noted that a new director was one part of an overall reorganization plan of the County's Public Health Agency. Commissioner Nicholson seconded the motion and stated that local control of public health issues would be maintained through the Board of County Commissioners sitting as the Board of Health (BOH) and its appointment of Dr. Sanazaro, of the Mountain Family Health Center, as Gilpin County's Medical Officer. Commissioner Nicholson's additional comments included:

- Gilpin County will benefit from the economy of scale and additional specialized staff available through Jefferson County. Because Gilpin County is small, it is not practical to employ staff with expertise in specialized areas such as disaster preparedness and services for children with special needs.
- The name 'Gilpin County Public Health Agency' will be retained, but Dr. Johnson will supervise and coordinate public health services.
- Because Gilpin County is in the very early stages of transition, the BOH can't predict exactly how that transition will unfold, but in the next couple of weeks, the BOH will look at Jefferson County's proposal to provide the needed services.
- We had a model like this in Gilpin County, in the early 1970s, which functioned well in that manner until 1993; we are, in effect, going 'back to the future.'
- I feel strongly that the Public Health Coordinator must reside in the County; even though this person would be a Jefferson County employee, they would always live and work and maintain that office in Gilpin County.
- The coordinator job requires a person to be culturally sensitive to our community and to administer programs within the community's needs in mind.

Commissioner Whitman said that at the budget meetings in October, which the press attended, this reorganization was discussed. He added that before Gilpin County had its own public health department, it used this same model with Boulder County and it worked quite well, and that this is not a new idea.

Commissioner Schmalz's comments included:

- When governments can work together and share their resources, they deliver a better product and this reorganization is an attempt to do that.

- As Gilpin County progresses, the BOH will continue to monitor this type of system, but currently it makes no sense for the County's public health services to be spread out.
- The "shared resources" model is a positive move and I'd like to see more agencies save money in this way; it is efficient and works better for all Gilpin residents.

The motion passed by a vote of 3 to 0.

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

**Colorado State Forest Service/Front Range Fuels Treatment Partnership, Wildland Urban Interface Grant Applications.** County Manager Baker advised the Board of County Commissioners there are currently two USDA Forest Service grants available through the Colorado State Forest Service (CSFS) for the purpose of mitigating risk in wildland urban interface areas. One is for Front Range Fuels Treatment Partnership funds and the other is for State Fire Assistance funding. He noted that Gilpin County's recently completed Community Wildfire Protection Plan would be used to identify high-risk areas, if the County chose to apply for either of the grants. Commissioner Nicholson said clarification was needed regarding the hard dollar and/or in-kind matches required for the two grants before the Commissioners could decide whether or not to apply; in-kind matches could include the use of the County's wood chipper and the services of its Emergency Preparedness Director. County Manager Baker said the grant applications had been forwarded to local homeowner/property owner associations and that discussion would follow in mid-July and would include Sheriff Hartman as the Fire Marshal.

**Joint Road Maintenance Plan Agreement, US Forest Service.** Under the provisions of the National Forest Roads and Trails Act of 1964, the Gilpin County Road and Bridge Department performs maintenance on the many forest roads owned by the US Forest Service within the County. The road work is administered through the Joint Road Maintenance Plan, which is reviewed every 5 years. Commissioner Schmalz moved to approve the Joint Road Maintenance Plan with the US Forest Service. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

**Resolution #09-16—Child and Youth Leadership Commission.** At the May 16, 2009, Board of County Commissioners meeting, First Judicial District Attorney Scott Storey invited Gilpin County to participate in the Child and Youth Leadership Commission, a collaboration by many of the community leaders in the District to coordinate committees and agencies that provide juvenile services. Commissioner Nicholson moved to adopt Resolution 09-16, "Requesting Membership in the Jefferson County Child and Youth Leadership Commission for Gilpin County." Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. County Manager Baker said Gilpin County's membership would need to be defined through a memorandum of understanding or a joint resolution.

**Jefferson Center for Mental Health—Board Appointment.** In 2002, the Jefferson Center for Mental Health created a position on its board of directors to increase representation for the Clear Creek and Gilpin communities. This shared position was recently vacated and both counties solicited letters of interest. Commissioner Nicholson moved to appoint Cindy Dicken to represent Gilpin County and Clear Creek County on the Jefferson Center for Mental Health Board of Directors. Commissioner Schmalz seconded the motion and asked about the make-up of the Board. Commissioner Nicholson said each of the three counties was represented by one commissioner and Clear Creek and Gilpin counties share a citizen representative. The motion passed by a vote of 3 to 0.

**County Manager Status Report.** County Manager Roger Baker updated the Commissioners on the following items:

Central City "Solar-Bratton". On June 25, from 3:00 p.m. to 7:00 p.m., Central City and the Governor's Energy Office will work with Red Rocks Community College to perform a demonstration of the advantages of solar power for home or business use. The Solar-Bratton Open House will be held at the parking lot next to the RV park on Lake Gulch Road.

**Minutes.** Commissioner Schmalz moved to approve, as amended, the Board of County Commissioners Meeting Minutes for June 16, 2009. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

**Recess.** The Board of County Commissioners recessed until 10:00 a.m.

**Special Event Liquor Permit—Gilpin County Fair—Public Hearing.** Chair Whitman opened a public hearing to receive public comment on Gilpin County's application for a special event liquor permit for the 2009 County Fair to be held on August 15 and 16. Events Coordinator Vicki Nemecek stated that the local Rotary Club would be responsible for management of the beer booth this year. Chair Whitman opened the hearing to public comment. There being none, Chair Whitman closed the hearing to public comment. Commissioner Schmalz moved to approve Gilpin County's application for a special event liquor permit for the 2009 County Fair. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

**Gilpin County Zoning Regulations—Public Hearing.** Chair Whitman opened the public hearing for proposed revisions to the Gilpin County Zoning Regulations, which had been previously discussed during two separate Board of County Commissioners meetings. Community Development Director Tony Petersen reviewed several remaining concerns. Chair Whitman opened the hearing to public comment. Kathleen Condreay, owner of the Dory Hill Campground and some personal property, requested clarification of some of the proposed revisions. Following public comment, Chair Whitman closed the public hearing.

Commissioner Nicholson moved to continue discussion of the proposed revisions to June 30, 9:05 a.m. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Energy Performance Contracting Program.** Gilpin County Facilities Manager Bill Paulman presented information on the Energy Performance Contracting (EPC) Program offered through the Governor's Energy Office (GEO) that provides free guidance and support throughout the process of installing energy-use upgrades in public buildings. The EPC program is designed to perform walk-through energy-use audits of facilities, identify opportunities for improvements and present those findings to the Board of County Commissioners. If the Board chooses to participate in the program, they would sign a memorandum of understanding (MOU) with the GEO. Facilities Manager Paulman said an audit had already been performed on the Community Center and proposed participating in the program to address some of that building's improvement needs, including heating the pool water with solar energy. Later, projects in other County buildings could be considered, based on the degree of success achieved at the Community Center. (It is clearly stated in the MOU that it is not a legally binding document and is intended only to assist with the energy-use upgrade process.)

Commissioner Nicholson said she had long been waiting for the EPC Program and was pleased to see it presented today; she moved to approve the Memorandum of Understanding between Gilpin County and the Governor's Energy Office for the Energy Performance Contracting Program. Commissioner Schmalz seconded the motion and asked if the Old Courthouse should be excluded from the County's list of buildings to be audited and considered for energy upgrades. County Manager Baker said he did not think it should be excluded, but special consideration to preserve the historic value of the building would need to be incorporated into recommendations. The motion passed by a vote of 3 to 0.

**Public / Press Comment.** Lynn Volkens of *The Gilpin County News* asked questions regarding the pre-qualified contractors involved in the Energy Performance Contracting Program offered through the Governor's Energy Office, and the amount of money the County would pay to contract with a new public health director versus the salary for the current hired position.

**Executive Session.** Commissioner Nicholson moved to conduct an Executive Session to discuss a personnel matter and to receive legal advice on that matter. Commissioner Schmalz 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 11:15 a.m.

Signed this 30<sup>th</sup> day of June 2009