

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

August 18, 2009

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 18, 2009, at the Gilpin County Old Courthouse. Chair Whitman called the meeting to order at 10:00 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:

- Five-county monthly breakfast, August 19, 8:00 a.m. in Idaho Springs
- Early Childhood Health, August 19, 12:00 p.m. to 2:00 p.m. at the Gilpin County Public Library

Legal Status Report. County Attorney Jim Petrock advised the Commissioners they would need to conduct an executive session to receive legal advice on a personnel matter and a proposed lease.

Public/Press Comment. Lynn Volkens of the *Weekly Register-Call* asked when the Dory Lakes Property Owners Association's lawsuit against Gilpin County was scheduled to be heard in court. (The case is scheduled for September 9 through 11, 2009.)

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

PUBLIC HEARING—Board of Adjustment—Variance Request. BOA 09-02. Chair Whitman reopened the public hearing continued from May 19, 2009, for a variance request (BOA 09-02), for Michael P. Husler, Lot 8, Block 10, Colorado Sierra Alpha #3, 1174 Karlann Drive, a 1.76-acre parcel. County Planner Ray Rears explained that on May 19, 2009, Mr. Husler requested relief from the County's property line setback requirements to allow for a garage already built within the setbacks and on the shared property line between lot 7 and lot 8. The case was continued to allow the applicant and adjacent property owner time to negotiate Mr. Husler's purchase of lot 7. An agreement has been made, so staff recommended approval of BOA 09-02, with conditions. Mr. Husler, present for the continued public hearing, agreed to complete the conditions of approval as outlined in proposed resolution BOA 09-02. Chair Whitman opened the hearing to public comment. There being none, Chair Whitman closed the hearing to public comment. Commissioner Nicholson moved to approve, BOA 09-02, for Michael P. Husler, Lot 8, Block 10, Colorado Sierra Alpha #3, 1174 Karlann Drive, schedule number R006109, as conditioned. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. Chair Whitman closed the public hearing.

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

Treasurer's and Public Trustee's Items.

Public Trustee's 2nd Quarter Report. Public Trustee Alynn Huffman reported on the 2nd Quarter (April through June 2009) operations in that office. Following discussion of the number of mortgage foreclosures in the County, Commissioner Nicholson moved to accept the 2nd Quarter 2009 report. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Personal Property Cancellations. After Public Trustee Alynn Huffman's explanation of her request to cancel the taxes due on three personal property accounts the Board of County Commissioners took the following actions:

- P001030, One Stop Printing. Commissioner Nicholson moved to approve canceling the taxes levied on schedule number P001030 for Tax Year 2006 in the amount of \$507.90. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.
- P001030, One Stop Printing. Commissioner Nicholson moved to approve canceling the taxes levied on schedule number P001030 for Tax Year 2007 in the amount of \$562.58. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.
- P000124, The Stage Stop LLC. Commissioner Nicholson moved to approve canceling the taxes levied on schedule number P000124 for Tax Year 2008 in the amount of \$14.27. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

July 2009 Treasurer's Report. After touching on some highlights in her July 2009 report, Treasurer Huffman responded to questions from Commissioner Nicholson about the Public Health Agency Fund saying the fluctuation in positive and negative numbers resulted from the relatively recent creation of the fund, and in the future, an adequate fund transfer would be made as part of the budget process, to be supplemented late in the year, if necessary. Commissioner Nicholson said the proposed legislation to eliminate personal property taxes, would be devastating to county revenues. Treasurer Huffman will determine the amount specific to Gilpin County so Commissioner Nicholson may discuss it at Colorado Counties, Inc., and during the legislative session.

Historic Advisory Commission Appointment. Ray Rears, County Planner and Historic Advisory Commission (HAC) Liaison, stated that due to a recent resignation, there was a vacancy on HAC and four letters of interest had been received. Commissioner Nicholson said she would like to know the professional qualifications of the current members to decide what was needed to complete the structure of the Commission, and that letters of interest for HAC should include an applicant's professional qualifications. Mr. Rears offered to re-advertise the vacant seat and explain the necessary qualifications/professional backgrounds in greater detail. Commissioner Schmalz moved to table the appointment until after the position had be re-advertised. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0. The Board of County Commissioners agreed to revisit the topic when the Chair calls up the item in October.

Recess. The Commissioners took a 10-minute recess.

Energy Efficiency and Conservation Block Grants. Mona Newton, Central Regional Representative of the Governor's Energy Office (GEO), discussed her recommendations concerning how to spend some of the federal stimulus funds available. She focused on energy efficiency block grants for nonformulated communities, generally smaller counties and municipalities. She suggested grouping some of the counties together to create a regional office to leverage some of that funding, which would be allocated on the basis of a certain amount of money per resident per county. GEO Representative Newton estimated an amount of \$15,000 for Gilpin County, based on its population. The pooled funds from Grand, Clear Creek and Jackson counties would create a part-time position for a couple of years for the purpose of developing an energy strategy. Commissioner Whitman noted that the paperwork for current programs can be daunting and suggested this part-time person could help residents complete the forms. Commissioner Nicholson said the concept seemed sound and would dovetail with plans to have energy audits of the public buildings in the county. In response to a question from Commissioner Schmalz, it was estimated that the regional office would be funded at approximately \$90,000 based on the populations of the potential member counties. Commissioner Nicholson asked if this proposal has affected the timing of an answer to a request for funding to help heat the Community Center pools with solar power. GEO Representative Newton stated that there was no connection and that she would look into the delayed response to Gilpin County's request. Commissioner Nicholson said she was curious about the GEO's position concerning woody biomass such as that which heats the Road and Bridge building and expressed concern that the biomass components of the GEO's proposal seem to have been minimized. GEO Representative Newton said the GEO is very supportive and that there would soon be some incentives for augmenting propane use in public buildings with wood or wood pellet use.

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

Monthly Departmental Reports. The monthly departmental reports that had been submitted were discussed. The Road and Bridge report indicated they had received 752 loads of slash, a decrease from previous months, and that access fees for the installation of natural gas lines has been an unanticipated revenue source.

Gilpin Ambulance Inc., Board Appointment. Commissioner Schmalz stated that he planned to submit a letter of resignation to the Gilpin Ambulance, Inc., board of directors in order to avoid a conflict of interest, since he is also a member of the new Gilpin Ambulance Authority board of directors. Commissioner Nicholson moved to accept Commissioner Schmalz's resignation from the Gilpin Ambulance, Inc., board of directors. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. Commissioner Nicholson moved to appoint Commissioner Whitman as the Commissioners' representative on the Gilpin Ambulance, Inc., board of directors. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

Public Health Agency Report. Commissioner Nicholson reported that the Gilpin County Public Health Agency (GCPHA) had received nine applications for the contract position of Public Health Coordinator and that some interviews have been scheduled. She also noted that: a meeting room is available for community groups in the public health building on Norton Drive; the GCPHA budget preparation is on track; and, she has talked with Gilpin County RE-1 School District Superintendant Tina Goar concerning public health services to be provided to the school.

Minutes. Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for August 11, 2009. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

Adjournment. There being no further business to come before the Board, Commissioner Nicholson moved to adjourn to Executive Session to receive legal advice on a personnel matter and a potential lease. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. The Board adjourned at 11:10 a.m.

Signed this 25th day of August 2009