

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

November 17, 2009

A regular meeting of the Board of County Commissioners of Gilpin County was held on November 17, 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 Buddy Schmalz; County Manager Roger Baker; County Attorney Jim Petrock; and Sharon Cate, Deputy Clerk to the Board. Commissioner Jeanne Nicholson was absent.

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 Commissioners meeting, November 18, 8:00 a.m., in Idaho Springs

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

Eagles' Nest Early Learning Center Land Transfer. The transfer of the Eagles' Nest Early Learning Center (ENELC) land from the Gilpin County School District RE-1 to Gilpin County is nearly complete and could advance to the closing transaction by the end of this week. The School District has asked that Gilpin County reimburse the District for the attorney fees and costs it incurred in the transfer process. County Attorney Petrock is also working on a lease agreement between Gilpin County and ENELC.

Public/Press Comment. Lynn Volkens of the *Weekly Register-Call* had questions about the number of members currently serving on the Eagles' Nest Early Learning Center Board of Directors and what plans were in place to recruit members to fill the existing vacancies. Commissioner Schmalz, Gilpin County's representative to the Board, said the next meeting was scheduled for December 10th and that the topic would be addressed then.

Public Hearing—Supplementary Appropriations—Resolution #09-24. Chair Whitman opened a public hearing for Supplementary Appropriations—Resolution #09-24. Gilpin County Finance Officer Clorinda Smith read her list of necessary supplements to various funds and departmental budgets. Chair Whitman opened the hearing to public comment. There being none, Chair Whitman closed the public hearing to public comment. Commissioner Schmalz moved to approve Resolution #09-24, "Approving Supplemental Appropriations" for the 2009 Gilpin County budget. Commissioner Whitman seconded the motion, which passed by a vote of 2 to 0.

Clerk and Recorder's Monthly Report. Clerk and Recorder Jessica Kays reported on operations in her office for the month of October 2009. She also noted that the results of the November 2, 2009, election had been certified and posted on the County's web site and at the entrance to the Clerk and Recorder's Office.

Proposed Resolution for High-Speed Transit for National Association of Counties. Commissioner Whitman gave a brief overview of a proposed resolution regarding "High-Speed Intercity and Interstate Passenger Surface Transit for the 21st and 22nd Centuries" and said the intention was to have the resolution heard at the Colorado Counties, Inc., Winter Conference and prepared for the National Association of Counties Legislative Conference in March 2010. Commissioner Schmalz moved to approve supporting the "High-Speed Intercity and Interstate Passenger Surface Transit for the 21st and 22nd Centuries" resolution. Commissioner Whitman seconded the motion, which passed by a vote of 2 to 0.

Correction Resolution #SBE 09-01, Replacing #SBE 09-02. County Planner Ray Rears explained the accidental transposition of the identifying numbers of two of Gilpin County's 2009 Senate Bill 35 Exemption (SBE) resolutions. Commissioner Schmalz moved to approve correcting SBE #09-02 to SBE #09-01. Commissioner Whitman seconded the motion, which passed by a vote of 2 to 0.

Legal Fees for Gilpin County School District RE-1 Agreements. Gilpin County Schools Superintendent Tina Goar was present to discuss the legal fees and costs incurred by the Gilpin County RE-1 School District (GCS D) during the preparation and execution of a water service agreement with the Eagles' Nest Early Learning Center (ENELC) and a land transfer agreement with Gilpin County. The GCS D had agreed to both transactions contingent upon Gilpin County reimbursing the District for its legal fees and costs. Commissioner Schmalz moved to approve reimbursement of the GCS D's legal fees associated with the transfer of the ENELC property to Gilpin County and a water service agreement in an amount not to exceed \$10,500. Commissioner Whitman seconded the motion, which passed by a vote of 2 to 0. Commissioner Schmalz moved to approve payment of all fees for the land transfer closing transaction in an amount not to exceed \$1,000. Commissioner Whitman seconded the motion, which passed by a vote of 2 to 0.

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

Medical Services Agreement—Mountain Family Health Centers. Gilpin County Public Health Agency Coordinator Ann Marie Bailey was present to discuss an agreement between Gilpin County and the Mountain Family Health Centers (MFHC) for medical services such as monthly consultation to the Gilpin County Senior Program, the Eagles' Nest Early Learning Center, and the Gilpin County Community Center; the annual administration of flu shots for Gilpin County residents; and the administration of Hepatitis B vaccine to County employees in certain jobs. As a member of the Board of Directors for MFHC, Commissioner Whitman said two new cost-cutting measures at MFHC would be that incoming phone calls would be received at a call center at the Glenwood Springs facility and that the Black Hawk facility would be closed on Wednesdays. Commissioner Schmalz said the proposed agreement was a short-term fix for MFHC's budget problems. Commissioner Schmalz

moved to approve the Medical Services Agreement between MFHC and Gilpin County effective through Dec 31, 2009. Commissioner Schmalz seconded the motion, which passed by a vote of 2 to 0.

Coordinator Bailey reported briefly on the status of flu shots saying there were none available for the seasonal flu, only for the H1N1 flu and that three vaccine-administration clinics had been scheduled for high-risk groups.

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

Right to Remedy—Residents' Presentation. Michael Kunzman and Brian Wareing were present to discuss the discharging of firearms on the Trygve Lode property in Pickle Gulch and some damage to the property, which they believe is a result of shooting. They stated they considered the shooting to be dangerous due to the proximity of roads and residences. Gilpin County Sheriff Hartman was also present and stated he had discussed with Mr. Wareing the circumstances described by him and Mr. Kunzman. Mr. Wareing narrated a visual presentation containing photographs portraying the damage to the property and the location of the shooting backdrops in relation to roads. After the presentation, Sheriff Hartman's comments included:

- Since 2007, the Gilpin County Sheriff's Office has received approximately 200 phone calls from citizens concerned about the discharging of firearms in various parts of the County.
- The best way to address the problem would be for Gilpin County to create a public shooting range. Although a conventional range would be utilized by many shooters, there would likely still be some who would continue to shoot elsewhere.
- Funds are available from the Colorado Division of Wildlife to help create ranges.
- If a potential range location is found, Sheriff Hartman will relay the information to County Manager Baker.

Discussion continued about the recent consideration to adopt a local ordinance regarding shooting areas within the County, but the Commissioners and Sheriff Hartman agreed it could do little to control the discharging of firearms in most portions of the County. Commissioner Whitman will tour Chaffee County's shooting range and will share his findings at a future Board of County Commissioners meeting.

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.

Grants to Implement Community Wildfire Protection Plans. The Colorado State Forest Service (CSFS) has received a \$6.25 million grant through the American Recovery and Reinvestment Act to be used to create or retain jobs that help implement high-priority forest restoration and fuels mitigation projects and for jobs in Colorado's wood products industries. The CSFS received a second grant for \$4.465 million to help fund jobs affiliated with developing and implementing Community Wildfire Protection Plans (CWPP), which Gilpin County adopted on May 19, 2009. The Anchor Point Group, LLC, received a \$1,745,583 grant for high-priority fuels reduction projects in Gilpin, Boulder, Grand and Larimer counties, as detailed in their respective CWPPs. Anchor Point anticipates the creation of five jobs internally for 22 months, some of which they hope to sustain beyond the grant period, plus up to 46 jobs for a shorter time during the grant period.

Connector Signs. The Commissioners viewed a prototype of the new Gilpin Connector bus service signs designed and created by Rudy Fahrni of the Gilpin County Road and Bridge staff.

Minutes. Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for October 27, 2009. Commissioner Whitman 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 10:20 a.m.

Signed this 24th day of November 2009