

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

December 22, 2009

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 22, 2009, at the Gilpin County Old Courthouse. Chair Whitman called the meeting to order at 9:06 a.m. In attendance were Chair Forrest Whitman; Commissioner Jeanne Nicholson and Commissioner Buddy Schmalz; County Manager Roger Baker; County Attorney Brad Benning; and Charlotte Taylor, Deputy Clerk.

**Notice of Public Meetings.** There will be no public meetings in the upcoming two weeks that could be attended by more than one Commissioner. The December 29, 2009, Commissioners meeting has been canceled.

**Legal Status Report.** County Attorney Brad Benning advised the Commissioners on the following legal issue:

Water Augmentation Plan. Gilpin County's water augmentation plan is moving ahead through water court; the Court will likely set a trial date for late December 2010.

**Public/Press Comment.** Medill Barnes, Chair of the Gilpin Ambulance Authority Board said the Authority is ready to begin official ambulance operations on January 1, 2010, and that many last-minute details are being resolved.

**Public Hearing—Resolution #09-25—Adopting 2009 Budget.** Chair Whitman opened the public hearing for the review and adoption of the 2010 Gilpin County Budget. Finance Officer Clorinda Smith gave a brief overview. Chair Whitman opened the hearing to public comment. There being none, Chair Whitman closed the hearing to public comment.

Commissioner Nicholson moved to approve Resolution #09-25, "Adopting the 2010 Budget." Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0. Chair Whitman closed the public hearing.

**Certification of Mill Levies.** Finance Officer Clorinda Smith gave a short summary of the 2010 mill levy certification saying some revenues were slightly higher than last year due to a small increase in some property values. Gilpin County property taxes are comparatively low because gaming revenues have been "de-Bruced."

Commissioner Nicholson moved to approve the 2010 Certification of Mill Levies. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**Public Trustee's Third Quarter Report.** County Treasurer and Public Trustee Alynn Huffman reported on Public Trustee operations for the third quarter of 2009. She stated that the number of mortgage foreclosures in Gilpin County had risen, ranking Gilpin somewhere in the middle of Colorado counties. Last week in Adams County was the first occurrence of a property owner meeting the 90-day Counselor's Certificate of Equability in Colorado. Public Trustee Huffman stated that as a result of the third quarter report, she would issue a check to the Board of County Commissioners in the amount of \$4,725.55 from the Operating Account for deposit to the Public Trustee Salary Fund and a second check to the Gilpin County Public Trustee Reserve Account in the amount of \$2,098.18 from the Operating Account for deposit, as the balance of fees and interest collected.

Commissioner Nicholson moved to approve the Public Trustee's Third Quarter Report. Commissioner Schmalz seconded the motion, which passed by a vote of 3 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, and included a report of the Service Bureau revenue.

**Cooperative Law Enforcement Agreement—US Forest Service.** Sheriff Bruce Hartman presented an annual agreement between the Gilpin County Sheriff's Office and the U.S. Forest Service through which Gilpin County agrees to patrol certain Forest Service roads for the amount of \$8,400.

Commissioner Nicholson moved to approve the Cooperative Law Enforcement Agreement between Gilpin County and the U.S. Forest Service in the amount of \$8,400. Commissioner Schmalz seconded the motion, which passed by a vote of 3 to 0.

**County Employee Use of Community Center.** County Manager Baker proposed offering to full- and part-time benefitted County employees a one-year waiver of fees to the Gilpin County Community Center, as a means of offsetting some of the stress of 2010 budget strictures. He added that in the future he thought the County could consider free use of the facility to all County residents, but wanted to reserve that discussion for another time. Commissioner Nicholson said she too would like to see the Community Center available to all residents free of charge, but that it would be sometime in the future and suggested considering that as a long-term goal. She suggested that the fee waiver policy apply during the 2010 salary freeze instead becoming of a permanent policy.

Commissioner Nicholson moved to approve the waiver of Community Center fees to full- and part-time benefitted Gilpin County employees for the period of January 1, 2010, to December 31, 2010. Commissioner Schmalz seconded the motion which passed by a vote of 3 to 0.

**Resolution #09-26—Modernize Railroad Regulation.** Commissioner Nicholson mentioned that the issue of modernizing railroad regulations was proving to be of interest to the City and County of Denver as well as many other Front Range counties, and that Gilpin County’s support of the resolution would be appreciated. Commissioner Schmalz moved to approve Resolution #09-26—Modernize Railroad Regulation. Commissioner Nicholson seconded the motion, which passed by a vote of 3 to 0.

**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. County Manager Baker noted that the reported Human Services expenditures indicated a relatively good financial status. Commissioner Nicholson said she would like to see comparisons to the previous year so that trends could be observed; Commissioner Schmalz suggested comparisons to comparable counties as well.

Gaming Revenue. During discussion of the November gaming revenues it was pointed out that gaming revenues appear relatively stable; Black Hawk casinos were up a bit and Central City casinos were stable. Commissioner Nicholson expressed her agreement with Governor Ritter who has stated that we have reached a “new reality” in that the recovery from the recession would develop a different economic structure than was known in the past.

**Minutes.** Commissioner Schmalz moved to approve the Board of County Commissioners Meeting Minutes for December 15, 2009. The Commissioners took a 10-minute break to review the minutes. Commissioner Schmalz amended his motion to correct the Public Health portion of the minutes concerning H1N1 vaccination clinics. Commissioner Jeanne Nicholson seconded the amended motion, which passed by a vote of 3 to 0.

**Executive Session/ Adjournment.** There being no further business to come before the Board, they adjourned at 10:15 a.m.

Signed this 05<sup>th</sup> day of January 2010