



Minutes of the Meeting of the Board of County Commissioners Gilpin County, Colorado Tuesday, January 14, 2025

A Special Meeting was held on Tuesday, January 14, 2025, at the Gilpin County Courthouse, 203 Eureka, and online via Zoom. In attendance were, Commissioner Susan Berumen - Chair, Commissioner Re-Elect, Sandy Hollingsworth, Commissioner-Elect, Jeff Aiken, County Manager Ray Rears, and Deputy Clerk to the Board, Kimberly Kaufman. Chair Berumen called the Special Meeting to order at 8:00 a.m.

Also in attendance was 1st Judicial District Judge Timothy Lane. Judge Lane swore in Jeff Aiken as a new Gilpin County Commissioner for District land Sandy Hollingsworth as a newly re-elected Commissioner for District 3.

A reception was held with refreshments served.

At 9:00 a.m., Chair Berumen called the Regular Meeting of the Board of County Commissioners (BoCC) to order. There were no changes to the agenda. County Manager Rears enquired if there were conflicts of interest with any item on the agenda; no conflicts were noted. Incoming County Attorney Messenger appeared virtually.

The first order of business, Resolution 25-004, List of Official Appointments for 2025 was called. County Manager Rears presented the updated list of appointments making note of particular changes from 2024 in the list. Commissioner Berumen opened the nominations then nominated Commissioner Hollingsworth to serve as Chair of the Board for 2025. Commissioner Aiken seconded; the nomination was approved 3 to 0. Commissioner Hollingsworth took the seated position of the Chair and noted the Chair also serves on the Board of Human Services. She asked for nominations for the Chair Pro-Tern. Commissioner Aiken nominated Commissioner Berumen to serve in that capacity. Commissioner Hollingsworth seconded; the nomination was approved 3 to 0.

The remainder of the appointment list was read by the Chair. Commissioner Berumen moved to authorize the BoCC to sit as the Board of Adjustment, the Local Liquor Licensing Authority, the Board of Equalization, and the Board of Health. Commissioner Aiken seconded. The motion passed 3 to 0.

Additional appointments were as follows: County Manager - Ray Rears; County Attorney - Fairfield and Woods, LLC. Attorney Todd Messenger, Jack Reutzel - Alternate Attorney; Administrative Assistant to the Board - Kimberly Kaufman; Budget Officer - Joe Allaire; Chief



Building Official - Mike Theisen and Kyle Parag with Charles Abbott Associates; Emergency Manager - Sheriff Kevin Armstrong; Road Supervisor - Michael DeBrava with Public Works; the depository banks for Gilpin County- Wells Fargo, Colorado Trust General, and Colorado Trust; the location for posting public notices to remain the bulletin board in front of the Old Courthouse and on the Gilpin County website; Staff Authorized to Use Facsimile Signatures per Resolution are Joe Allaire, Finance Director, and Kimberly Kaufman, Administrative Assistant to the BoCC; the Human Services Director is Janey Barker; and the Veteran Services Officer is Leon Pohl. The Newspaper of Record was to be considered separately. Commissioner Berumen moved to adopt the listed appointments as presented with the exception of the newspaper of record to be discussed separately, Commissioner Aiken seconded; the motion passed 3 to 0.

The Weekly Register-Call (WRC) and The Mountain-Ear (TM-E) newspapers were each invited to speak regarding their request to be the Newspaper of Record. Becky Osterwald appeared online on behalf of the Register-Call. A written letter with some particulars had previously been provided to the Commissioners. Next, Barbara Hardt spoke on behalf of the Mountain-Ear and provided a letter that included publication rates. Commissioner Aiken moved to retain the Mountain-Ear as the Newspaper of Record for 2025. Commissioner Berumen seconded; the motion passed 3 to 0.

Additional appointments considered related to Boards and Commissions with partner agencies. Some of the appointments require the appointment of a commissioner; others required only a representative on behalf of Gilpin County. Colorado Counties Incorporated (CCI) and Counties and Commissioners Acting Together (CCAT) are two groups that are lobbyists and representatives working on legislation specifically. They both have a number of subcommittees requiring appointments. CCI has nine (9) subcommittees that require an appointment and they were made as follows: Commissioner Berumen - Health and Human Services, General Government, the and Taxation and Finance subcommittees. Commissioner Aiken was appointed to Tourism and Resorts, Transportation and Communications, and Agriculture and Wildlife. Commissioner Hollingsworth continues on Public Lands, Land Use and Natural Resources, and Justice and Public Safety. All Commissioners agreed to continue the appointment of Ray Rears as the CCI Steering Committee Voting Proxy. All Commissioners serve together as a Board on the Mountain District.

CCAT requires five (5) subcommittee appointments. Commissioner Berumen was appointed to continue her position on Public Health Human Services and Housing. Commissioner Aiken expressed his interest in serving on Transportation. Commissioner Hollingsworth was re-appointed to Natural Resources and Fiscal Reform.

Next on the list was Colorado Committees for Climate Action (CC4CA). Commissioner Aiken expressed an interest in and was appointed to that subcommittee.



The next appointment was to the Gateway to the Rockies Opioid Council (GROC) Executive Committee. Commissioner Hollingsworth was continued in that position; Commissioner Aiken was appointed as the alternate.

NOCO Places is comprised of six (6) counties and three (3) federal and state land managers that address the overuse of public lands and seeks to allow a balance between access and conservation. Commissioner Hollingsworth was approved to continue her position on the executive committee for the group which includes her appointment as a Co-Chair.

The next appointment was for the Upper Clear Creek Watershed Association focusing on the Clear Creek Watershed area. Commissioner Aiken was approved to become the representative for Gilpin.

The Clear Creek Watershed and Forest Health Partnership appointment was given to Commissioner Aiken. Gilpin County's Extension Agent Jennifer Cook has been serving as the representative but will continue as a participant.

The Clear Creek Economic Development Corporation (CCEDC) appointment is not by BoCC Appointment. Manager Rears was previously appointed on the Board of Directors as their Treasurer by the CCEDC in December 2024. There was a need for appointment to the CCEDC Resilience team. A joint resolution had been presented held from December pending the designee for the team appointment. Commissioner Berumen was appointed as she has been active on their loan committee and has already been attending meetings.

The next agreed upon appointment was the Gilpin Ambulance Authority GAA. Gilpin County resident Buddy Schmalz, Manager Rears, and Commissioner Berumen as the alternate have been serving on the Board. The three appointments were continued with Commissioner Berumen appointed to the Board and Manager Rears now serving as the alternate.

Commissioner Hollingsworth continued her appointment on the Jefferson Center for Mental Health Board of Directors. The shared seat with Clear Creek County is vacant at this time.

The 911 Authority Board appointment was filled by Commissioner Aiken.

The Limited Gaming Impact Funds appointment, referred to as the LGLGI, done by an application process, was deferred until nominations could be submitted. The position is currently held by a Commissioner with Clear Creek.

The next appointment was the Gilpin Water Company, a legal entity. The group works with businesses on 12 lots located mid-county. Commissioner Hollingsworth was continued in that appointment.



The CTSI, the Gilpin County insurer for workers compensation appointment was next. The appointment requires a commissioner serve. Commissioner Hollingsworth was approved to continue her appointment.

Denver Regional Council of Governments also requires a commissioner appointment. Commissioner Berumen expressed an interest and was appointed to serve.

The 1-70 Coalition Teams - Leadership Team appointment was given to Commissioner Aiken and Manager Rears will continue as the appointee on the Technical Team.

The Triad Bright Futures appointment will continue to be filled by Commissioner Berumen.

The Mountain Kids Early Learning Center Board position will continue to be filled by Janey Barker, Human Services Director.

The Mountain Rail Coalition appointment was again filled by Commissioner Hollingsworth. A number of rail stops have been plotted on an expanded rail plan.

Moffit Tunnel Memorandum of Understanding (MOU) with Union Pacific- Commissioner Berumen will continue working with this group. Paralegal Baciak will be legal support.

Once discussion and agreement concluded regarding the various appointments, Commissioner Berumen moved to formally adopt Resolution 25-04 the List of Official Appointments for 2025, Commissioner Aiken seconded; the resolution passed 3 to 0.

There was no Public or Press Comment.

Commissioner Aiken moved to approve the Consent Agenda including the CSU Extension Office 4th Quarter, 2024 report, and the Digital Accessibility Transition Plan. Commissioner Berumen seconded; the consent agenda was approved 3-0.

New Gilpin County employees were introduced to the Commissioners by their department heads: Public Works Director John Combs introduced a new Operator One in Road and Bridge, Xander Tayor. Sahari McCormick, Clerk and Recorder, and Joe Self, Chief Deputy, introduced Valeriya Menhusen as the new full-time Motor Vehicle Clerk. Sheriff Armstrong introduced Catherine David. She has been with the Sheriff's Department for several years in different positions and has just moved to a non-certified Detentions Officer. Colton Tapia also joined the Detentions team. Lastly, Zak Adami was introduced as the new Division Chief in the Detentions Center.



Resolution 25-001, A Resolution Appointing Trustee to the Board of Trustees of the Gilpin County Public Library District was presented by Michael Carlson, Gilpin County Library Director. Two appointments were open - one with a five-year term and one recent vacancy with three years left on the term. Both positions were advertised resulting in three applicants. The Library Board recommended appointing Linda Isenhardt for the full five-year term and Constance Reid to fill the remaining three-year term. Commissioner Berumen moved to adopt the resolution appointing both individuals to the Library Board of Trustees for the respective terms. Commissioner Aiken seconded; the resolution was adopted 3 to 0.

Public Hearing

Commissioner Berumen moved to recess the Board of Commissioners and convene as the Board of Adjustment; Commissioner Aiken seconded; the motion passed 3 to 0.

Chair Hollingsworth opened the Public Hearing at 10:15 a.m.

Rachel Vigil, Planner, began the presentation on **Resolution BOA 25-1, Approving a Variance for 146 Dynamite Dr. Black Hawk (AAN: R004668) from Section 2.3 of the Gilpin County Zoning Regulations to Allow for a Setback of Fifteen (15) Feet from the Required Setback of Thirty (30) Feet from the East and West Property Lines in the RS, Residential Subdivision Zoning District.** The history of the property and the reasons for the variance request were discussed. No comments from the neighbors were received in response to notice letters sent out by Community Development staff who was recommending approval of the variance request.

Chair Hollingsworth opened the floor for public comment on the variance. Teresa Bliss, a neighbor who resides south of the named property was present and expressed no objection to the granting of the variance. Kathleen Balfour, appearing online, spoke in favor of granting the variance. There was no additional comment.

Public comment was closed at 10:20 a.m.

Due to the codified time limits of one year for variances to remain active unless otherwise agreed upon by the Board of Adjustment, a two-year time limit was discussed and approved by the Commissioners. Commissioner Berumen moved to approve a variance for 146 Dynamite Drive, Black Hawk, as set out in BOA 25-01, and as amended. Commissioner Aiken seconded; the resolution passed 3 to 0.

Chair Hollingsworth closed the Public Hearing at 10:27 a.m.



Resolution 25-003, Amending the Memorandum of Understanding with the Colorado Department of Early Childhood for the Colorado Child Care Assistance Program was presented by Janey Barker, Human Services Director. This resolution was intended to extend the Memorandum of Understanding (MOU) with the State Early Child Care assistance program run by the state but administered by Gilpin Human Services. The term would be from January to June of next year. Commissioner Aiken moved to adopt resolution 25-003; Commissioner Berumen seconded; the resolution passed 3 to 0.

Next, the **2025 Highways User's Tax Fund (HUTF) Application** was considered and presented by John Combs, Public Works Director and Andrew Decker, Right of Way/Sign Specialist. The HUTF fund is collected through the .22 cent per gallon fuel sales tax. To date, without the December payment, Gilpin County has received \$677,927 for local road maintenance. The overall budget for yearly road maintenance in 2025 is approximately 3.5 million dollars. Commissioner Berumen moved to adopt the 2025 Highway Users Tax Fund Application; Commissioner Aiken seconded; the motion passed 3 to 0.

Resolution 25-002, Authorizing the Execution of Agreement for Consulting Services with R. Jortberg Associates, Inc. - April Nielsen, County Assessor, presented the resolution seeking approval of the annual agreement engaging the services of Mr. Jortberg, a nationally recognized expert in casino appraisals. His services are extremely valuable in completion of commercial appraisals for Gilpin. Commissioner Aiken moved to approve the contract renewal for R. Jortberg Associates, LLC. in an amount not to exceed \$51,420 and to authorize the County Manager to execute the agreement; Commissioner Berumen seconded; the resolution passed 3 to 0.

Commissioner Berumen moved to recess the Board of County Commissioners and to convene as the Local Liquor Licensing Authority {LLLA}; Commissioner Aiken seconded. The motion passed 3 to 0.

Clerk and Recorder Sahari McCormick first thanked Deputy Clerk, Sharon Cate, for her good work dealing with liquor licenses during the busy election season. MS. Cate presented the Application seeking Approval for a Liquor License Renewal for Z Stop Gas Station, 1351Colorado Highway 119, Golden Colorado, a retail gas station with limited alcohol sales. The application was in order, background checks were passed, so staff recommended renewal of the license.

Commissioner Berumen moved to approve the liquor license renewal for Z Stop Gas station; Commissioner Aiken seconded; the motion passed 3 to 0.

Deputy Clerk Cate then presented the next application seeking Approval of a Liquor License Renewal for Last Shot, LLC., 17268 Highway 119, Black Hawk, Colorado. This license is categorized as a hotel and tavern license due to their restaurant. As they were in compliance



with all aspects of their liquor license requirements, staff recommended approval of the renewal. Commissioner Aiken moved to approve the application for renewal for The Last Shot, Commissioner Berumen seconded, the motion passed 3 to 0.

Commissioner Berumen moved to adjourn as the Local Liquor Licensing Authority and to reconvene as the Board of County Commissioners; Commissioner Aiken seconded; the motion passed 3 to 0.

Resolution 25-005, Authorizing the Submittal of a Grant Application to the Colorado Office of the Attorney General and Department of Law (DOL) for the Youth Mental Health and Well Being Challenge Grant was presented by Jamie Boyle, Grant Writer and Manager, Jacob Rippy, Youth Program Supervisor, and Britton Barrett, Teen Coordinator, and Gabrielle Chisholm, Director of Parks and Recreation who appeared online. The Youth Program is funded through the Substance Abuse Prevention Block Grant (SABG) through the Behavioral Health Administration (BHA) Funding is set to end mid-2026. The Attorney General's Office is offering a youth mental health challenge grant aka "The Challenge" grant that aligns closely with their current program and would continue the program for an additional two years. It does require partnering with the local school districts, but no match funding is required. It also covers tobacco and vaping use unlike the SABG. A Memorandum of Understanding has been reviewed by Gilpin's Attorney and the REI school board. Discussion followed. Commissioner Berumen moved to adopt Resolution 25- 005, authorizing the submittal of the grant application to the Colorado Attorney General's Office; Commissioner Aiken seconded; the resolution was adopted 3 to 0.

The Board took a short break at 11:02 a.m. They reconvened at 11:10 a.m.

Chair Hollingsworth called for the presentation of the County Attorney's report. Todd Messenger, Attorney with Fairfield and Wood appeared via Zoom. He reported on the various items reviewed for legal concerns and advice given.

County Manager Rears presented his report including highlights as follows: Next work session is Tuesday, January 21st, the next regular meeting is January 28th. The Rudolph Ranch Homestead property purchase closed in December; the Mountain Kids Early Child Care Center lease has been executed; the Request for Proposal (RFP) for the Community Center Annex with Food Pantry has been released; an employment offer has been made and accepted for the open Office of Emergency Manager Director position; a letter of Support for Lincoln Hills was sent out; and the Strategic Priorities Summit is scheduled for February 4th and 5th.

The Commissioners and Manager Rears discussed the schedule for the work sessions for the year and the anticipated topics for each date. Some dates and topics were amended with an acknowledgement that the schedule is dynamic and subject to change.



They discussed the monthly Senior Leadership {SLT} meetings and the Multi-agency Coordination (MAC) meetings to be held bi-monthly. One commissioner will be scheduled to attend on a rotating basis. Commissioner Berumen agreed to attend the SLT meeting scheduled the next day.

Board of County Commissioners Report and Notice of Public Meetings

Commissioner Berumen reported on her activities including attending Colorado Counties, Inc. (CCI) Steering Committee meetings, briefings on legislative activity, CCAT review of priorities, review and discussions regarding the onsite waste water treatment systems (OWTS) bill to go before the legislature.

Commissioner Aiken reported he had attended some conferences and some computer classes to help him adjust to his new role as commissioner.

Commissioner Hollingsworth reported that she attended the NOCO Executive Board meeting, the GROC Opioid Council, the Jefferson Center Board meeting, and Central City Council meeting, a meeting regarding a new law creating Colorado Neighborhood Centers; a NOCO lunch with Colorado Parks and Wildlife Commission members regarding RPI's (state outdoor regional partnerships initiatives), a Mountain Rail Coalition meeting, and a Nederland Teens, Inc. meeting.

It was noted most government offices, including Gilpin offices, would be closed next Monday for Martin Luther King Day.

Public or Press Comment

Mindy Leary, on behalf of the Mountain-Ear Newspaper, expressed gratitude for being selected as the newspaper of record for Gilpin County.

Kathleen Balfour expressed her appreciation for the Commissioner's consideration of the 146 Dynamite Drive matter heard earlier in the meeting.

Commissioner Berumen moved to recess to recess to Executive Session for the purpose of receiving legal advice on specific legal questions relative to proposed legislation under C.R.S. §24-6-402(4){b}; and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. §24-6-402(4)(e){l}.



Commissioner Aiken seconded; the motion passed 3 to 0. Manager Rears enquired if Chanda Johnson, Human Resources Director, could join the executive session as she has been involved in the conversations for a period of time. The Board agreed and recessed at 11:56 a.m.

Chair Hollingsworth reconvened at 1:10 p.m. and noted there were discussions regarding legislative items, but no decisions were made. The meeting was adjourned at 1:10 p.m.

Approved this 13th day of May, 2025.

A signed and recorded version of these minutes is available via the Clerk & Recorder's Office.