

TOWN OF EMPIRE
30 East Park Avenue –P.O. Box 100 Empire CO 80438-0100
303/569-2978 – 303/569-2282 fax

Board of Trustees
November 16, 2021

1. Call to Order

The meeting was called to order at 6:35 PM.

The meeting was held in person and through Zoom – a web-based video conferencing platform. It took several minutes to confirm that everyone could see and hear the meeting.

2. Roll Call

Present: Mayor Wendy Koch, Mayor Pro-Tem Linda Robertson, Trustee Denise Tennant, Trustee Lisa Kunze, Trustee Susan Owen, Trustee Lorry Singmaster, Police Chief John Stein, Town Attorney Brandon Dittman, Town Clerk Jeannette Piel.

Absent: Shannon Hickman

A quorum was present at the meeting.

3. Approval of Agenda

TRUSTEE TENNANT MOTIONED TO APPROVE THE AMENDED AGENDA FOR NOVEMBER 16, 2021 TO MOVE ITEM NUMBER EIGHT TO NUMBER FOUR, TRUSTEE KUNZE PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

4. Discussion: Water Conservation with Michael Murphy from Ramey Environmental

5. Approval of Consent Agenda.

TRUSTEE ROBERTSON MOTIONED TO TABLE THE CONSENT AGENDA FOR NOVEMBER 16, 2021, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

6. Resolutions:

- a. **Resolution 21-11: A Resolution of the Town of Empire, Colorado to Execute an Engagement Letter with Butler Snow**

Butler Snow is our Bond Council, and the Town needs Bond Council to issue an opinion on our Water Fund as an Enterprise to qualify for the State Revolving Fund Loan for construction of the new well.

TRUSTEE OWEN MOTIONED TO ADOPT RESOLUTION 21-11: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO TO EXECUTE AN ENGAGEMENT LETTER WITH BUTLER SNOW, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

7. Ordinances:

- a. **Ordinance 263: An Ordinance of the Board of Trustees of the Town of Empire, Colorado, Acting by And Through the Town of Empire Water Activity Enterprise, Approving a Loan From the Colorado Water Resources and Power**

Development Authority; and Authorizing the Execution of a Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; and Declaring an Emergency.

TRUSTEE ROBERTSON MOTIONED TO ADOPT ORDINANCE 263: AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, COLORADO, ACTING BY AND THROUGH THE TOWN OF EMPIRE WATER ACTIVITY ENTERPRISE, APPROVING A LOAN FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY; AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT AND A GOVERNMENTAL AGENCY BOND TO EVIDENCE SUCH LOAN; AND DECLARING AN EMERGENCY, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED WITH A SUPER MAJORITY.

The Ordinance is effective immediately.

8. Announcement:

- a. Michael Ellington has resigned from the Board of Trustees. Michael has been a great help with the maintenance of our Dog Park and our Dog Waste Stations, and he will continue serving in that role. We thank him for his help, and we are grateful for his continued commitment to the Dog Park and to our Town.

8. Public Hearing and Approval of the 2022 Proposed Budget to the Town of Empire Board of Trustees:

Question on Traffic and Town Vehicles from Glenda Guanella and Susan Owen.

Discussion on Police Funds for Traffic Control by Chief Stein.

Question on why 2022 budget is so much higher than 2021 from Emily Andrews.

Discussion on additional funding from grant and loans for our 2022 Well Project by Clerk Piel.

Question on how long the budget had been worked on and available for review.

Discussion on Budget starting in July and being discussed at every Board meeting since by Clerk Piel.

- a. **The Resolution to Levy General Property Taxes for the Year 2022 to Help Defray the Costs of Government for the Town of Empire, Colorado for the 2022 Budget Year will be presented in December because the Town has not received the Tax Levy information from Clear Creek County.**

- b. **Resolution 21-12 Supplemental Budget and Appropriation – Centennial Fund**

TRUSTEE ROBERTSON MOTIONED TO ADOPT RESOLUTION 21-12 SUPPLEMENTAL BUDGET AND APPROPRIATION – CENTENNIAL FUND, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

- c. **Resolution 21-13 Supplemental Budget and Appropriation – Water Fund**

TRUSTEE OWEN MOTIONED TO ADOPT RESOLUTION 21-13 SUPPLEMENTAL BUDGET AND APPROPRIATION – WATER FUND, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

- d. **Resolution 21-14 Appropriate Sums of Money**

TRUSTEE TENNANT MOTIONED TO ADOPT RESOLUTION 21-14 APPROPRIATE SUMS OF MONEY, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

- e. **Resolution 21-15 Summarizing Expenditures and Revenues for Each Fund and Adopting the Budget for the Town of Empire, Colorado for the Calendar Year 2022**

TRUSTEE ROBERTSON MOTIONED TO ADOPT RESOLUTION 21-15 SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING THE BUDGET FOR THE TOWN OF EMPIRE, COLORADO FOR THE CALENDAR YEAR 2022, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

9. **Discussion: Harmony Domes Annexation**

- a. CORA Requests (Colorado Open Records Act.) If you would like to request Public Information that is not currently on the website, please fill out a CORA request. Forms can be found on the website or in Town Hall.
- b. Email questions and comments: If you have questions pertaining to town business, please send written requests or questions by email to the Clerk so we have a record and can respond appropriately.
- c. Chief Stein stated people are forwarding public information outside of CORA requests.

10. **Appointment of Eileen Wheelock to the Planning Commission**

11. **Announcement for a Military Tribute:** Military Flags will be flown on the Visitor Center

12. **Announcement for Empire Business Partnership:** The Town has a program to encourage local businesses funded by their business licenses.

13. **Public Comment**

- Sally Rush requested that Staff and Board members participate in the zoom meetings for the County's Affordable Housing meetings and read the report.
- Sally Rush inquired about a grass roots organization to help develop the Ball Placer.
- Attorney Dittman advised Sally that the Board meeting is not the place to discuss this meeting.
- Margi Kaspari thanked Clerk Piel for all her hard work on the Budget, and everyone for their work. She thanked the Town for moving the asphalt millings from the field next to the park and asked if the field has been reseeded yet. She also asked about the concrete barriers and the utility trucks parked at Minton Park.
- Mayor Koch replied that some of the barriers are ours, and we are being paid to store the additional barriers until Spring. The trucks are contractors helping Xcel with fire mitigation, chipping, and slash removal.

14. Reports

- a. Budget: Report was given as an agenda item.
- b. Mayor: (CCEDC, CDOT, CCFA) Hwy 40 repaving project is scheduled for 2022-23.
- c. Police:
 - i. Chief Stein will provide a monthly report with stats and updates.
 - ii. Chief Stein is facilitating the Traffic Safety Task Force, with an initial meeting in November.
 - iii. Free Gun locks are available in the Town Offices.

Al Gillespie asked for clarification on the law regarding CORA from Chief Stein. Attorney Dittman stated that it's inappropriate to allow that discussion for Public Comment. Al can contact Chief Stein or Attorney Dittman if he wants to discuss the legal issues in further detail, but the information presented in the meeting on CORA requests was a Public Service Announcement.

d. Events:

- i. October 30th was our Trick-or-Treat in Theobald Park and Chili Cookoff. CONGRATULATIONS to our Chili Cook-Off Winners — 1st Place Christian Straughn, 2nd Place the Backwaters Café, 3rd Place Laura Talcott.

Thank you to everyone who helped make the Trick-or-Treat in Theobald Park and the Chili Cook-Off a huge success. It was wonderful to see the community come together and enjoy our first indoor event for a year and a half.

Please let the clerk know if you are missing any pots or ladles.

THANK YOU TO:

- o Clear Creek Fire Authority for bringing the fire truck, Empire Police Department for bringing a patrol vehicle, and the Empire Public Works Crew for bringing our heavy equipment, all for the kids to explore and enjoy!
- o Empire Sweet Shop for Halloween treats, chili, ice cream, and providing the t-shirt for the winner of the chili cook-off.
- o The Backwaters Café for hot drinks and Halloween treats in the park and chili.
- o Yogi at Phillips 66 Gas Station for providing ice for our soda pop.
- o Trina & Paul Whillock for corn bread and other fixins, and Peggy Hubner for the delicious pies!
- o Laura Talcott for helping at the food table, and Bob Wise for taking photos.
- o Chris McMillian, and Jen & Lon Fulton & family for handing out Halloween Treats.

ii. Small Business Saturday

- iii. Christmas Celebration: December 11th, 4-5 pm in Theobald Park & 5-8 pm in Town Hall *** Details to follow in a Christmas Newsletter

e. Admin:

- f. Public Works: (Parks, Streets)
 - i. Millings are still available for purchase.
- g. Water/Wastewater:
- h. Planning Commission:
 - i. All Planning Commission meetings are in-person with remote access.
 - ii. The November and December meetings are combined and will be held December 15th, 2021, at 6:30 pm.

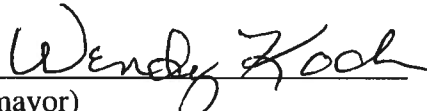
14. New Business

15. The Next Board of Trustees Regular Meeting is December 14th, 2021, at 6:30 pm. In-person with remote access.


16. Adjourn Meeting

TRUSTEE ROBERTSON MOTIONED TO ADJOURN THE MEETING, TRUSTEE KUNZE PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 9:56 PM.



(mayor)



(town clerk)