

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 Regular Meeting**  
June 21, 2022

**1. Call to Order**

The meeting was called to order at 6:30 PM.  
The meeting was held in person and through Zoom.

**2. Roll Call**

**Present:** Appointed Mayor Pro-Tem Denise Tennant, Trustee Susan Owen, Trustee Shannon Hickman, Trustee Lorry Singmaster, Trustee Paul Whillock, Police Chief John Stein, Attorney Brandon Dittman, Town Clerk Jeannette Piel.

**Absent:** Mayor Wendy Koch, Mayor Pro-Tem Linda Robertson

**A quorum was present at the meeting.**

**3. Approval of Agenda**

**TRUSTEE SINGMASTER MOTIONED TO APPROVE THE AGENDA FOR JUNE 21, 2022, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

**4. Joint Public Hearing of the Board of Trustees and the Planning Commission on the matter of three Conditional Use Permits for Short-Term Rentals:**

The Town of Empire has three available Short-Term Rental Licenses to fill in the residential zoning area. Notices of the Public Hearing were posted at each property, in the Clear Creek Courant, on the Town Website, in Town Hall, and in the Post Office by June 2<sup>nd</sup>, 2022. All property owners within one hundred feet or adjacent to each property were notified by mail.

- a. 412 East Mountain Avenue, James Andrews
  - i. Staff Report – Clerk Piel stated the checklist is complete, and all town fees are current.
  - ii. Planning Commission Recommendation -Chairperson Sally Rush recommended approving the application for a Conditional Use Permit for a Short-Term Rental for 412 Mountain Avenue.

**TRUSTEE OWEN MOTIONED TO APPROVE THE APPICATION FOR A CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL FOR 412 EAST MOUNTAIN AVENUE, TRUSTEE HICKMAN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

This is effective immediately.

- b. 188 East Clear Creek, Dana Ray McWilliam
  - i. Staff Report - Clerk Piel stated the checklist is complete, and all town fees are current.
  - ii. Planning Commission Recommendation- Chairperson Sally Rush recommended approving the application for a Conditional Use Permit for a Short-Term Rental for 188 East Clear Creek.

**TRUSTEE SINGMASTER MOTIONED TO APPROVE THE APPLICATION FOR A CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL FOR 188 EAST CLEAR CREEK, TRUSTEE HICKMAN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

This is effective immediately.

- c. 192 East Clear Creek, Tony & Linda Robertson
  - i. Staff Report - Clerk Piel stated the checklist is complete, and all town fees are current.
  - ii. Planning Commission Recommendation- Chairperson Sally Rush recommended approving the application for a Conditional Use Permit for a Short-Term Rental for 192 East Clear Creek.

**TRUSTEE OWEN MOTIONED TO APPROVE THE APPLICATION FOR A CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL FOR 192 EAST CLEAR CREEK, TRUSTEE SINGMASTER PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

This is effective immediately.

**5. Resolutions:**

- a. **Resolution 22-11: A Resolution of The Town of Empire, Colorado Ratifying an Agreement with East Slope Excavating for Emergency Excavation Services.**

**TRUSTEE OWEN MOTIONED TO APPROVE RESOLUTION 22-11: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO RATIFYING AN AGREEMENT WITH EAST SLOPE EXCAVATING FOR EMERGENCY EXCAVATION SERVICES, TRUSTEE HICKMAN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

The Resolution is effective immediately.

- b. **Resolution 22-12: A Resolution of The Town of Empire, Colorado Ratifying an Agreement with Ramey Environmental Compliance, Inc. for Emergency SERVICES.**

**TRUSTEE OWEN MOTIONED TO APPROVE RESOLUTION 22-12: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO RATIFYING AN AGREEMENT WITH RAMEY ENVIRONMENTAL COMPLIANCE, INC. FOR EMERGENCY SERVICES, TRUSTEE HICKMAN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.**

The Resolution is effective immediately.

**6. Announcement Grant Updates:**

- a. **APPROVED:** Additional D&E grant funding request to Colorado Department of Public Health and Environment (CDPHE) \$51,000.00 for well project
- b. **APPROVED:** Grant funding request to Energy and Mineral Impact Grant (EIAF) for \$750,000.00. Mayor Wendy Koch, accompanied by Clerk Jeannette Piel and JVA Engineer Rob Anderson, gave a PowerPoint presentation in-person to the selection board for the EIAF grant in Golden on May 26<sup>th</sup>, 2022. The grant board was impressed with the amount of planning our small town has done to prepare for the drilling of a new Well and improvements to our Water Treatment Plant, and also with

- our handling of our recent Water Emergency.
- c. PENDING: Grant reporting for American Rescue Plan Act (ARPA) for reimbursement of \$76,410.33 for well project
- d. PENDING: Grant request to Representative Neguse for Congressionally Directed Spending \$4 mil to update the Water Distribution System after the Town's water emergency
- e. PENDING: Grant request to Senator Hickenlooper for Congressionally Directed Spending \$4 mil to update the Water Distribution System after the Town's water emergency
- f. PENDING: Grant application in process for Emergency Community Water Assistance Grant (ECWAG) USDA amount undetermined for Water Distribution System after the Town's water emergency
- g. PENDING: Grant request to Colorado Parks and Wildlife (CPW) for Human Bear Conflict Reduction Grant of \$80,000.00 to install bear-proof trash receptacles in all town parks and throughout the business corridor.
- h. PENDING: Grant inquiry to CDOT and DRCOG to continue developing the Welcome Park with parking lot, electric charging stations, bike racks, bus stop for the Round-a-Bout, public bathroom, picnic area, trail on side of the mountain with wildlife overlook, and possibly connecting trail to other town property on North Empire. Function like a rest-stop. Town signs for wayfinding. Additional sidewalks and benches along the walking route.

**7. Update on Beautification along Park Avenue**

- a. All volunteers must sign a Waiver and Empire Volunteer Guidelines  
Each program has an insurance waiver and a set of guidelines that need to be read and signed. This protects the volunteers and the Town. It will be valid for a specific date. If you are involved in more than one program, you will need to sign a waiver for each program. These are requirements from our insurance company.
- b. Military Flags  
We had the Military Flags in place on the Visitors Center by Memorial Day. Friends of Clear Creek, and Frank Ferris provided new flags for this summer.
- c. Street of Flags  
Our international flags were installed in various places along Hwy 40 a couple of weeks ago by members of Friends of Clear Creek. The wind has been challenging, and several of the PVC poles snapped, so we are looking at relocating some of the flags, only using round metal fence posts to attach to, and continuing to explore possibilities for more permanent poles. A more permanent solution will be expensive but would save time and money in the long run. If you see any poles that have fallen, please contact the Clerk, as only town employees are authorized to put the flags back up on the fencing.
- d. Flower Program  
Flowers have been planted and are being watered daily.
- e. Fire Hydrant Flags  
We have installed locator flags on all of our fire hydrants. This helps emergency responders locate the hydrants even in tall weeds or deep snow. We started an Adopt-a-Hydrant program for people to keep the area around their hydrant cleared of weeds or snow, we have a couple of people signed up already, we would love to have more.

f. **Trash Can and Dog Waste Receptacle for Park Maintenance**

We are having trouble with people using the Dog Waste Receptacles for trash other than the small doggie pick up bags. This fills up the receptacles too quickly. If you see anyone using the green Dog Waste Receptacles for other trash, please encourage them to use the regular trash cans. We also have people using our public trash cans to throw away large household trash bags. Again, they fill up too quickly, and they are not intended for people to use for their weekly household trash.

**8. Public Comment:**

- Glenda Guanella – Thank you to everyone who contributed to the Town flowers, the Town, private citizens and Town Volunteers, Bernie, Terry, and Laura. Suggested hiring someone to assist Trina with the flowers.

**9. Reports:**

- a. Mayor: Clerk Piel you have the floor
  - i. (CCEDC, CDOT, CCFA)
  - ii. CDOT Hwy 40 Resurfacing Project Leadership Team: Mayor Koch, Chief Stein, & Clerk Piel are all participating on the leadership team, along with Amy Saxton from Clear Creek County Planning. Empire is well represented in this project.
- b. Police: Chief Stein you have the floor
- c. Events: Clerk Piel you have the floor
  - i. June 25, 2022, CCMRD and FoCC Community Workday at PAWS: The Town will donate employee hours and fuel for the flatbed truck to remove branches and debris if the transfer station fee is covered by CCMRD or waived by the county.
  - ii. Farmers Market June 25, July 9 & 23, August 6 & 20, September 3 & 17. 9-1 in Theobald Park.
  - iii. Third Saturday in July, August, & September: Adopt-a-Highway Clean-Up with Friends of Clear Creek
  - iv. August 2, Tuesday: National Night Out
  - v. September 10, Saturday: Devil on the Divide
- d. Admin: Clerk Piel you have the floor
  - i. 2022 OHV Stickers, if you have not received your sticker or need an application, please contact the clerk.
- e. Planning Commission:
  - i. All Planning Commission meetings are in-person with remote access.
  - ii. This month, the Regular Meeting will be held on Wednesday, June 29th, 2022, at 6:30 pm.
  - iii. Next month, the Regular Meeting will be held on Wednesday, July 27th, 2022, at 6:30 pm.
  - iv. The next Master Plan Workshop will be held on Monday, July 11th, 2022, at 6:30 pm.

**10. The Next Board of Trustees Regular Meeting is July 19, 2022, at 6:30 pm. In-person with remote access.**

**11. Adjourn Meeting**

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

The meeting was adjourned at 7:31 PM.

Wendy Koch  
(mayor)

J Piel  
(town clerk)