

Supplemental Meeting Agenda

April 4, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform Meeting ID: 870 9676 0566 Passcode: 276729
<https://us02web.zoom.us/j/87096760566?pwd=Q1daeFZMdkFhNlV3UWNLeG5GcTFjUT09>

If you would like to address The Board of Trustees at this meeting, please place your name on the sign-up sheet or indicate that through the chat function on the online Meeting Platform. You will be recognized to speak during the "Public Comment" portion of the agenda. Discussion is limited to 5 minutes and please state your name and address your comments to the Board. Thank you for your cooperation.

Also, please silence your phones and do not use them during the meeting out of consideration for your Board Members and Staff who are presenting information during the meeting.

1. **Call Meeting to Order**
2. **Roll Call** – The Empire Board of Trustees requires a simple majority of four trustees present at the meeting for a quorum.
3. **Approval of Agenda**
4. **Annexation for Harmony Domes:**
 - a. **Resolution 23-03: A Resolution of The Town of Empire, Colorado of Substantial Compliance and Intent to Annex**
Amending the date of the Public Hearing to May 16th, 2023 at 6:30 pm.
5. **The Next Board of Trustees Regular Meeting is April 18th, 2023, at 6:30 pm. In-person with remote access**
6. **Adjourn Meeting**



(Mayor Wendy Koch)



(Town Clerk Jeannette Piel)

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 Supplemental Meeting
April 4, 2023

1. Call to Order

The meeting was called to order at 6:32 PM.
The meeting was held in person and through Zoom.

2. Roll Call

Present: Mayor Wendy Koch, Trustee Denise Tennant, Trustee Susan Owen, Trustee Lorry Singmaster, Town Clerk Jeannette Piel.

Absent: Mayor Pro-Tem Linda Robertson, Trustee Shannon Hickman

A quorum was present at the meeting.

3. Approval of Agenda

TRUSTEE TENNANT MOTIONED TO APPROVE THE AGENDA FOR APRIL 4, 2023, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

4. Annexation for Harmony Domes:

- a. Resolution 23-03: A Resolution of The Town of Empire, Colorado of Substantial Compliance and Intent to Annex.**

TRUSTEE OWEN MOTIONED TO APPROVE A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO OF SUBSTANTIAL COMPLIANCE AND INTENT TO ANNEX, TRUSTEE SINGMASTER PROVIDED THE SECOND. CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Annexation Public Hearing will be held on May 16, 2023.

5. The Next Board of Trustees Regular Meeting is April 18th, 2023, at 6:30 pm. In-person with remote access.

- Clerk Piel asked about the Board of Trustees attending workshops monthly. All were in favor of this idea. This will begin in May.
- Trustee Singmaster suggested the Town purchase a \$50 grocery card for Trustee Hickman due to the death of a family member.

6. Adjourn Meeting

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

The meeting was adjourned at 6:46 PM.


(mayor)


(town clerk)

**TOWN OF EMPIRE, COLORADO
RESOLUTION 23-03**

COPY

**A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO OF SUBSTANTIAL
COMPLIANCE AND INTENT TO ANNEX**

WHEREAS, a written petition has been filed with the Town Clerk requesting the annexation of certain property to be known as the Harmony Domes Annexation, as more particularly described below; and

WHEREAS, the Board of Trustees desires to initiate annexation proceedings for the Harmony Domes Annexation in accordance with the Municipal Annexation Act, Section 31-12-101, et seq., Colorado Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE as follows:

Section 1. That the Board hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Board hereby accepts the annexation petition for the Harmony Domes Annexation, more particularly described as situated in the County of Clear Creek, State of Colorado, to wit:

The subject property consists of multiple mining claims addressed at 433 Park Ave., Empire Colorado. The subject property consists of the Heckla, Emma, Gold Dust, Butte, and Cambrian mining claims as well as a portion of tract within section 28 which is a total of 683, 148 square feet or 15.68 acres. A portion of the property and the claims listed above are currently located within unincorporated Clear Creek County.

The subject site is located within Section 28, Township 3 South, Range 74 West of the 6th Principal Meridian within the Town of Empire, Colorado.

Section 3. That the Board hereby finds and determines that the annexation petition for the Harmony Domes Annexation is in substantial compliance with the Municipal Annexation Act in that the annexation petition contains the following:

- (1) An allegation that it is desirable and necessary that such area be annexed to the municipality;
- (2) An allegation that the requirements of Colorado Revised Statutes sections 31-12- 104 and 31-12-105 exist or have been met;
- (3) An allegation that the signers of the petition comprise more than fifty percent of the landowners in the area and own more than fifty percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;

- (4) The signatures of such landowners;
- (5) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
- (6) The mailing address of each such signer;
- (7) The legal description of the land owned by such signer;
- (8) The date of signing of each signature; and
- (9) The affidavit of the circulator of such petition that each signature therein is the signature of the person whose name it purports to be.

Section 4. That the Board hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the Harmony Domes Annexation is in substantial compliance with the Municipal Annexation Act in that the map contains the following:

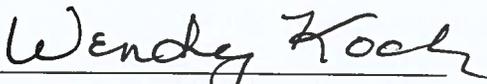
- (1) A written legal description of the boundaries of the area proposed to be annexed;
- (2) A map showing the boundary of the area proposed to be annexed;
- (3) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
- (4) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

Section 5. That the Notice attached hereto as Exhibit "A" is hereby adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above-described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

ADOPTED this 4th day of April 2023.

TOWN OF EMPIRE

BY:



Wendy Koch, Mayor

ATTEST:



Jeannette Piel, Town Clerk

EXHIBIT A

A public hearing on the Harmony Domes Annexation shall be held at the Empire Board of Trustees Meeting on Tuesday May 16th, 2023.