

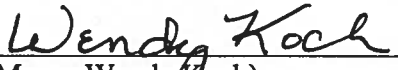
Board of Trustees Regular Meeting Agenda

May 30, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform Meeting ID: 861 6078 1275 Passcode: 653745
<https://us02web.zoom.us/j/86160781275?pwd=Zk9rSlldoNTdVWTFHVjNlZTkpIzkZQQT09>

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. **Ordinances:**
 - a. **An Ordinance of The Town of Empire, Colorado Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory in Clear Creek County to Empire, Colorado**
5. **The Next Board of Trustees Regular Meeting is June 20th, 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
May 30, 2023

1. Call to Order

The meeting was called to order at 6:36 PM.
The meeting was held in person and through Zoom.

2. Roll Call

Present: Mayor Wendy Koch, Trustee Denise Tennant, Trustee Lorry Singmaster, Trustee Jacob Belcher, Trustee Randy Horning, Police Chief Andrew Lorenz, Attorney Colleen McCroskey, Town Clerk Jeannette Piel.

Absent: Mayor Pro-Tem Linda Robertson, Trustee Susan Owen
A quorum was present at the meeting.

3. Approval of Agenda

TRUSTEE TENNANT MOTIONED TO APPROVE THE AGENDA FOR MAY 30, 2023, TRUSTEE HORNING PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

4. Ordinances:

- a. **Ordinance 268: An Ordinance of The Town of Empire, Colorado Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory in Clear Creek County to Empire, Colorado**

TRUSTEE HORNING MOTIONED TO APPROVE ORDINANCE 268, AN ORDINANCE OF THE TOWN OF EMPIRE, COLORADO APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY IN CLEAR CREEK COUNTY TO EMPIRE, COLORADO, TRUSTEE BELCHER PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

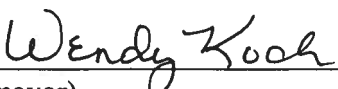
Ordinance 268 is approved. This Ordinance only requires one reading and will be posted in the Clear Creek Courant on June 8th, 2023, and will be effective 10 days later, on June 18th, 2023.

5. The Next Board of Trustees Regular Meeting is June 20th, 2023, at 6:30 pm. In-person with remote access.


6. Adjourn Meeting

TRUSTEE BELCHER 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 6:45 PM.



(mayor)



(town clerk)

TOWN OF EMPIRE,
COLORADO

COPY

ORDINANCE 268

AN ORDINANCE OF THE TOWN OF EMPIRE, COLORADO APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY IN CLEAR CREEK COUNTY TO EMPIRE, COLORADO

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Board of Trustees of the Town of Empire, Colorado, a written petition for annexation to and by the Town of Empire of certain property described in attached **Exhibit A**, being contiguous unincorporated territory, situation in the County of Clear Creek, State of Colorado; and

WHEREAS, the Board of Trustees of the Town of Empire, Colorado conducted a public hearing on May 16th, 2023, to determine eligibility for annexation of that property described in **Exhibit A**; and

WHEREAS, the Board has satisfied itself concerning the eligibility for annexation of that property described in **Exhibit A**; and

WHEREAS, the Board, by resolution determined that the applicable parts of C.R.S. §§ 31-12-104 and 31-12-105 have been met, that an election is not required under C.R.S. § 31-12-107(2), and that no additional terms and conditions are to be imposed; and

WHEREAS, it is the opinion of the Board that it is desirable and necessary that the property described in **Exhibit A** be annexed to the Town; and

WHEREAS, it is in the best interest of the Town and its residents to annex said property.

NOW, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, COLORADO:

Section 1. The annexation by and to the Town of Empire, Colorado of the property described in **Exhibit A**, situated within the County of Clear Creek, State of Colorado, meets all requirements of applicable law and said annexation is hereby approved and made effective.

Section 2. The owner of more than fifty percent (50%) of the area of the property described in the attached **Exhibit A**, exclusive of public streets and alleys, petitioned for annexation with the Board of Trustees by filing a Petition for Annexation, together with four (4) copies of the annexation map as required by law.

Section 3. The Board of Trustees, by resolution at a properly noticed meeting on April 4th, 2023 accepted said Petition and found and determined that the applicable parts of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101 et seq., as amended, have been met and further determined that an election was not required under the Act and that no addition terms and conditions were to be imposed upon said annexation.

Section 4. Upon the effective date of this Ordinance, all lands within the property to be annexed shall become subject to the Municipal Laws of the State of Colorado pertaining to towns and all ordinances, resolutions, rules, and regulations of the Town of Empire.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Empire will serve of the best interests of the Town and the owners(s) of the territory to be annexed, the unincorporated territory described in Exhibit A is hereby annexed to the Town of Empire, Colorado.

Section 6. Upon passage of this Ordinance, the Town Clerk shall file for recording three (3) certified copies of the Ordinance and three (3) certified copies of the annexation map with the Clerk and Record of Clear Creek County, Colorado, and shall keep one (1) copy of the annexation map along with the original of this Annexation Ordinance in the Town Clerk's office.

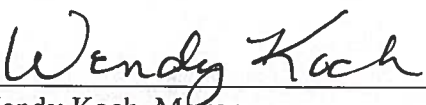
Section 7. The Town Clerk shall request that the Clear Creek County Clerk and Recorder shall file one (1) certified copy of this Ordinance and one (1) copy of the annexation map with the Colorado Department of Revenue.

Section 8. The annexation map showing the boundaries of the newly annexed territory as above described shall be kept on file in the office of the Clear Creek County Clerk and Recorder.

Section 9. Effective Date. By operation of C.R.S. § 31-12-113(2), the annexation and this Ordinance will not become effective until the Town Clerk completes the filings required by statute. For the purposes of general taxation, this ordinance shall become effective on January 1st of the next succeeding year following its passage. This Ordinance shall otherwise become effective ten (10) days after final publication by title only.

**INTRODUCED, AMENDED, PASSED, ADOPTED, AND ORDERED PUBLISHED ON
FIRST READING THIS 30TH DAY OF MAY 2023.**

TOWN OF EMPIRE, COLORADO



Wendy Koch, Mayor

ATTEST:



Jeannette Piel, Town Clerk

Exhibit A

EMMA, BUTTE & HECKLA LODES M.S. NO. 15847
THE CAMBRIAN LODE, M.S. NO. 12083,
AND THE GOLD DUST LODE, M.S. NO.1699A
AND VARIOUS GOVERNMENT LOTS WITHIN SECTION 28, T3S, R74W, 6TH P.M.
COUNTY OF CLEAR CREEK, STATE OF COLORADO
Located east of 433 East Park, on the north side of U.S. 40.