

Board of Trustees Regular Meeting Agenda

September 19, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform Meeting ID: 862 2200 2595 Passcode: 089239

<https://us02web.zoom.us/j/86222002595?pwd=bHd4UG1BOVd3Vks5dFZCMTRLUmZTQT09>

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. **Approval of Consent Agenda:**
 - a. Minutes August Regular Meeting
5. **Discuss Clear Creek County Dispatch being transitioned to JeffCom**
 - a. Present fact finding from the County.
 - b. We adopted Resolution 22-24 on December 27th, 2022 giving notice that we may withdraw from the IGA for Clear Creek County Dispatch.
 - c. Ask for consensus vote to join JeffCom along with the County and other municipalities if the combined request to join is accepted.
6. **Discuss Ordinance Violations**
7. **Discuss Ordinance updates to some of our administrative processes.**
8. **Discuss Results of the Minton Park Survey**
 - a. The Board and staff will review the first draft of the Minton Park Survey Results, paying particular attention to the fidelity of the results (did we reflect our community's opinions?) and to the language (will it attract funders?)
9. **Update on formation of the Multi-Jurisdictional Housing Authority (MJHA)**
 - a. Present overview from the MJHA Committee.
 - b. We adopted Resolution 21-18 on December 14th, 2021, declaring a local disaster emergency due to the workforce housing crisis.
 - c. Next steps.
10. **Update on Grants**
 - a. Water Treatment Plant and New Well.
 - b. Water Distribution System.
 - c. Henderson Planning Grant for Parks Master Plan which includes Minton Park Bathrooms.
11. **Update on Comprehensive Master Plan:**
 - a. Discuss how this informs our operational plans and our Municipal Code.
12. **Evaluate Programs and Goals:**
 - a. Introduce the programs and plans that make up our operational structure and use them to set goals for the budget and operations for 2024.
 - b. Boundary Surveys.
13. **Reports:**
 - a. Mayor: (CCEDC, CDOT, CCFA)
 - b. Police:
 - i. Stats from Police Department

- ii. Staffing changes
- iii. Non-Emergency Calls or Questions: Some of our residents are still calling Officers' cell phones and not calling dispatch. Officers are not allowed to self-dispatch themselves when they receive a call and must be dispatched through Clear Creek Dispatch. I'm glad our residents are comfortable talking to our law enforcement officers, but we need them to call dispatch directly. Clear Creek Dispatch Non-Emergency Number 303-679-2393
- iv. Bears: Now that summer is ending, bears are becoming more common in town and getting ready for hibernation. Bears have been getting into the dumpsters and trash all over town, and residents all over the county have reported them getting into vehicles and homes. Please lock and secure all your food and waste if you are outside your home or camping. If possible, please throw your trash away in the morning on the day of your trash pickup to help prevent the bears from coming around at night. Bears are wild animals and are very unpredictable, so please do not feed the bears or leave food out for them. If you have bird feeders, consider placing them away from your home, 10 feet off the ground, and 10 feet away from anything they can climb. The Department of Wildlife (DOW) recommends only using bird feeders when bears are hibernating. If you find yourself in a situation where a bear has entered your home or vehicle, call 911 if it is a life-threatening emergency or the non-emergency line. DOW does like to keep an eye on how many bears are active in the community. Please call *277 ask for DOW and report bear sightings if a response is not currently needed.
- v. OHV's: Residents and visitors have had a lot of confusion about Empire's Off-Highway Vehicles (OHV) Ordinance. Residents can ride OHVs inside town limits but must register and purchase an OHV tag to ride side roads only. Speed limits for OHVs on side roads are 10 MPH. OHVs may cross Park Ave. (Highway 40) but cannot drive on Park Ave. Clear Creek County does not allow OHV vehicles to operate on county roads outside the Town limits, including Bard Creek Rd. and N. Empire Rd. Empire does help assist the county on calls, but we are not patrolling the County roads as part of our jurisdiction.
- vi. Traffic Safety Task Force
- c. Public Works
 - i. Parks Advisory Committee
- d. Events:
 - i. Friends of Clear Creek Adopt-a-Highway Clean-Up. September 16th was the end of season cleanup with a potluck brunch at PAWS Park.
- e. Upcoming Events:
 - i. October 28th – Saturday Trick or Trunk in Theobald Park 4-5 pm, then Chili Cookoff and Scarecrow Contest in Town Hall 5-7 pm. Scarecrow drop-off on Saturday, October 14th from 12-1 pm.
 - ii. December 9th – Saturday Empire Community Christmas Celebration! Mark your calendars!
- f. Admin:
 - i. Opioid Crisis Settlement - Earlier this month, Clear Creek County leaders had the opportunity to meet with The Colorado Attorney General's Office and discuss how the community is working hard to address the Opioid Crisis. One example is the Clear Creek Health Assistance Team or CCHAT (the county's new co-responder program).

g. Planning Commission:

- i. All Planning Commission meetings are in-person with remote access.
- ii. The next Regular Planning Commission Meeting will be held on Wednesday, September 27th, 2023, at 6:30 pm.

14. Answer Public Comment Questions from previous meeting:

- a. Anyone can pick up a Voluntary Statement Form for non-emergency complaints from the Police Department Office, Administrative Office, or the Town Website.
- b. CDOT is keeping us informed on every step of the Highway 40 resurfacing project. There may be opportunities for CDOT or other contractors to do some leveling work on the dirt in the Ball Placer. They would not be able to level or grade any roads. However, over the next year we will have valves and water mains replaced as part of the Water Distribution System Grant Project. This will require digging up many sections of road, and the road will be repaired after the work is done. So, we will have extensive road repair done throughout Town next summer. We will take a close look at some of our problem areas during this process.

15. Public Comment: Public comment is limited to 5 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk.

16. Moment of Appreciation

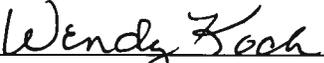
17. Board of Trustees Training Program

18. New Business from Board of Trustee Members

19. The Next Board of Trustees Training Workshop is October 3rd, 2023 (tentatively).

20. The Next Board of Trustees Regular Meeting is Tuesday, October 17th, 2023, at 6:30 pm. In-person with remote access.

21. Adjourn Meeting



(Mayor Wendy Koch)



(Town Clerk Jeannette Piel)

Town of Empire
30 East Park Avenue/P.O. Box 100 Empire, Co 80438
303.569.2978 - 303.569.2282 fax

Board of Trustees Regular Meeting Minutes
September 19, 2023 ~ 6:30 pm

In Person and Remote Meeting using the Zoom Platform.

1. Called Meeting to Order.

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

2. Roll Call – The Empire Board of Trustees requires a simple majority of four trustees present at the meeting for a quorum.

Present: Mayor Wendy Koch, Mayor Pro-Tem Linda Robertson, Trustee Lorry Singmaster, Trustee Jacob Belcher and Trustee Randy Horning. Also in attendance were Town Clerk Jeannette Piel and Police Chief Andrew Lorenz. Attorney Wilson Scarbeary attended virtually on Zoom.

Absent: Trustee Trustee Denise Tennant and Trustee Susan Owen.
A quorum was present at the meeting.

3. Approval of Agenda.

TRUSTEE SINGMASTER MOTIONED TO APPROVE THE AGENDA FOR SEPTEMBER 19, 2023, TRUSTEE BELCHER SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Agenda was approved.

4. Approval of Consent Agenda:

a. Minutes August Regular Meeting

TRUSTEE ROBERTSON MOTIONED TO APPROVE THE AUGUST MEETING MINUTES, TRUSTEE BELCHER PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, FOUR WERE IN FAVOR, TRUSTEE SINGMASTER ABSTAINED. MOTION PASSED.

The Consent Agenda was approved.

5. Discuss Clear Creek County Dispatch being transitioned to JeffCom

a. Present fact finding from the County.

b. We adopted Resolution 22-24 on December 27th, 2022 giving notice that we may withdraw from the IGA for Clear Creek County Dispatch.

Clear Creek County (CCC) Commissioner George Marlin attended via Zoom. Board discussion included:

- Cost savings anticipated, service coverage, and software integration required.
- Current CCC staff will be in a pod at JeffCom, committed to keeping these relationships personal.
- Officer initiated calls, currently not charged for (area checks.) Is a safety issue, if dispatchers don't know where he is. JeffCom, will not cost the town any money for these types of officer initiated efforts.
- Concerned about the unknown "extra" charges, like technology, to be sure the final price tag is under the \$34,752 the town incurs now with CCC dispatch.

Chief Lorenz's biggest concern is the dispatchers not knowing the area and the unknown costs. Should not

notice a difference in functionality for emergency services.

- c. Ask for a consensus vote to join JeffCom along with the County and other municipalities if the combined request to join is accepted.**

Consensus vote passed.

6. Discuss Ordinance Violations.

Discussion of signs violating Ordinance 170, Article 12, Section 1. Chief Lorenz, because of the sensitive topic of signs, wanted to be cautious about infringing resident's first amendment rights. Starting October 1st, 2023, the ordinance will be enforced with warnings and an opportunity to take the signs down before being summoned to court. Email the Chief with questions. Business signs need a permit and political signs have a time frame.

7. Discuss Ordinance updates to some of our administrative processes.

The Town currently has an ordinance for meeting minutes for the Board but not for the Planning Commission. Staff is working on creating resolutions for this and other public-facing policies, to be verified by attorneys. Election packets go out in January for our next election in April.

Discussion included:

- Minutes: creating an ordinance or resolution is a 90 day processes with 3 readings. It also involves check with state law, attorney, and create an ordinance.
- Room for interpretation in ordinances, good idea to get rid of ambiguity, help keep positive directions. Step by step procedures to protect us all. Public Participation in meetings.
- BOT - Term Limits (2 or 4 years) Many small towns have changed to 4-year terms.
- Currently can have 3 consecutive terms of 2 years. Weigh this with our struggle of keeping seats filled. Can change it to 2 terms of 4 years each. Can eliminate term limits completely.
- Attendance - with training as mandatory for continuity and proper function of BOT.
- Mayor - could include that candidate has served on BOT last 10 years to protect the town.
- Succession planning - Town Administrator Position, is a popular form of government (mayor council or council administrator are the 2 forms). Town Clerk is a different job than Town Administrator. If the Board determines the town would benefit from this role, they will advertise it. The Board asked for job description samples to start this conversation.
- Process: the board would create the ordinance, create the job description, they would interview and hire.

8. Discuss Results of the Minton Park Survey

- a. The Board and staff will review the first draft of the Minton Park Survey Results, paying particular attention to the fidelity of the results (did we reflect our community's opinions?) and to the language (will it attract funders?)**

Lisa Kunze, Town Projects Assistant, led a discussion of the report from the month-long survey about the needs of the community relating specifically to Minton Park. The report is available in town hall and will be in the meeting minutes available on the town website from this meeting once they are approved next month.

9. Update on formation of the Multi-Jurisdictional Housing Authority (MJHA)

- a. Present overview from the MJHA Committee.**
b. We adopted Resolution 21-18 on December 14th, 2021, declaring a local disaster emergency due to the workforce housing crisis.

Clerk Piel provided the overview of the county's Multi-Jurisdictional Housing Authority (MJHA), including the need to analyze current housing stock, deed restrictions, etc to provide affordable housing.

- c. Next steps.**

This is a County initiative, and it is completely separate from any current subdivision application. The

MJHA will need financial commitment from entities (in the \$5,000 to \$8,000 range) and will be presenting this to the Board next meeting.

10. Update on Grants - Clerk Piel provided updates on the following grants in process:

- a. Water Treatment Plant and New Well.**
- b. Water Distribution System.**
- c. Henderson Planning Grant for Parks Master Plan which includes Minton Park Bathrooms.**

11. Update on Comprehensive Master Plan:

- a. Discussed how this informs our operational plans and our Municipal Code.**

Process of adopting the 2020 Comprehensive Master Plan will include our community into 2024.

12. Evaluate Programs and Goals:

- a. Introduce the programs and plans that make up our operational structure and use them to set goals for the budget and operations for 2024.**

Clerk Piel provided an overview of all programs under the town's current priorities and explained the process the Board and community will entertain over the next several months.

- b. Boundary Surveys.**

Entire town needs to be surveyed as it plays into many projects: improving roads, creating signage and adding parking for example. It will also be important to help the town know where our edge of Right of Way is in the town.

13. Reports:

- a. Mayor: (CCEDC, CDOT, CCFA)**

CDOT has several ways to get rock blasting schedules. CCFA has new costs for services, ours will double for next year. Mile High jeep brought goodies and a gratuity for the town, appreciating how well they were treated.

- b. Police:**

i. Stats from Police Department:

Chief Lorenz clarified Robin's question about sign violations: he was talking about the 'overcrowding in Empire' signs. He can send the ordinance to show what would be in violation. He then presented Monthly Crime Statistics for the last 2 months, with 64 total calls in Empire including medical, fire, EMS, police and other agencies. He introduced the new Senate Bill 217: Data gathering for non-biased information laws that will be impacting the department.

ii. Staffing changes:

Paul Whillock stepped down to Reserve.

Andre' Johnson stepped up to full time this month.

Keith Sandford has been terminated for violating policy. Released a media release with details.

iii. Non-Emergency Calls or Questions:

Some of our residents are still calling Officers' cell phones and not calling dispatch. Officers are not allowed to self-dispatch themselves when they receive a call and must be dispatched through Clear Creek Dispatch. I'm glad our residents are comfortable talking to our law enforcement officers, but we need them to call dispatch directly. **Clear Creek Dispatch Non-Emergency Number 303-679-2393.**

iv. Bears:

Now that summer is ending, bears are becoming more common in town and are getting ready for hibernation. Bears have been getting into the dumpsters and trash all over town, and residents all over the county have reported them getting into vehicles and homes. Please lock and secure all your food and waste if you are outside your home or camping. If possible, please throw your trash away in the morning on the day of your trash pickup to help prevent the bears from coming around at night. Bears are wild animals and are very unpredictable, so please do not feed the bears or leave food out for them. If you have bird feeders,

consider placing them away from your home, 10 feet off the ground, and 10 feet away from anything they can climb. The Department of Wildlife (DOW) recommends only using bird feeders when bears are hibernating. If you find yourself in a situation where a bear has entered your home or vehicle, call 911 if it is a life-threatening emergency or the non-emergency line. DOW does like to keep an eye on how many bears are active in the community. Please call *277 ask for DOW and report bear sightings if a response is not currently needed.

v. OHV's:

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vi. Traffic Safety Task Force:

Chief Lorenz explained the local Traffic Safety Task Force is being revamped as some members have changed roles and have indicated interest in re-establishing priorities, like including road and bridge. Chief Lorenz walked through the town's hiring process for law enforcement.

c. Public Works:

i. Parks Advisory Committee - Clerk Piel explained the idea of creating future committees to guide planning of local parks and recreational opportunities.

d. Events:

i. Friends of Clear Creek Adopt-a-Highway Clean-Up. September 16th was the end of season cleanup with a potluck brunch at PAWS Park.

e. Upcoming Events:

i. October 28th– Saturday Trick or Trunk in Theobald Park 4-5 pm, then Chili Cookoff and Scarecrow Contest in Town Hall 5-7 pm. Scarecrow drop-off on Saturday, October 14th from 12-1 pm.

ii. December 9th– Saturday Empire Community Christmas Celebration! Mark your calendars!

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i. Opioid Crisis Settlement - Earlier this month, Clear Creek County leaders had the opportunity to meet with The Colorado Attorney General's Office and discuss how the community is working hard to address the Opioid Crisis. One example is the Clear Creek Health Assistance Team or CCHAT (the county's new co-responder program).

g. Planning Commission:

i. All Planning Commission meetings are in-person with remote access.

ii. The next Regular Planning Commission Meeting will be held on Wednesday, September 27th, 2023, at 6:30 pm.

14. Answer Public Comment Questions from previous meeting:

a. Anyone can pick up a Voluntary Statement Form for non-emergency complaints from the Police Department Office, Administrative Office, or the Town Website.

b. CDOT is keeping us informed on every step of the Highway 40 resurfacing project. There may be opportunities for CDOT or other contractors to do some leveling work on the dirt in the Ball Placer. They would not be able to level or grade any roads. However, over the next year we will have valves and water mains replaced as part of the Water Distribution System Grant Project. This will require digging up many sections of road, and the road will be

repaired after the work is done. So, we will have extensive road repair done throughout Town next summer. We will take a close look at some of our problem areas during this process.

15. Public Comment: Public comment is limited to 5 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk.

Melissa Martin: Loves this community and thanked the Board for their dedication. We are in Jeopardy. Would like permission to weed and plant wildflower seeds on the highway. She missed the Minton Park survey, and she hopes the town is being open about it. Suggested the town look at the Dillon Park Amphitheatre. Think solar, wind power and absolutely provide year-around toilets. Her water at 23 Sunny Avenue has been affected in the past by a cottonwood tree with big roots, and a former mayor and town board members live on this street so don't jeopardize this again. Roots are still growing up in the main sewer line. She paid for it, and a former mayor dug it up with a town backhoe. Comprehensive Master Plan: look to Morrison for an example. Residents feel they are being railroaded, there is an agenda, and that is why you are seeing the crowds. Offered to educate others on the history and the historic preservation of our town. Is huge, so it's not just moving churches without stabilizing the pieces. This happened because someone didn't have a vision, and it was a town Board member who moved it. If we as residents are to be held to standards, show us. We need to do background checks as Board Members.

On Zoom:

Robin Raulf-Sager: Thanks for your time and your service. Regarding the Ordinance on the signs, if you are talking about West Fork Village please say that as we are simple people. Speak more clearly. Thanks for the update on the North Empire Speeding Taskforce. It has been 2 years. She can't always call dispatch to report it and people speed every day. Maybe this task force can be expedited. She got lost on term limit conversations. Does this impact elections for April? She doesn't want to be mayor, and she is not running. If the Board decides to implement that a candidate for Mayor has had to serve on the board within the last 10 years; this is more than the requirements to be president of the US. We don't want to exclude people, and we don't want the same people over and over again.

Margi Kaspari: Staff read the comments into the record because of the audio troubles on Zoom: She brought to the board's attention the use of RV parking overnight, suggested hanging signs to remind visitors that OHV's aren't allowed.

16. Moment of Appreciation

Clerk Piel asked participants to share what they appreciate, love, and miss when they're gone from Empire:

- Stars have been gorgeous
- Smell every morning, crisp, almost freezing
- Cleaned restrooms, many comments from Grand County as they go through
- Time we've put in, the understanding we give each other that we're not all perfect but we try our best
- Can see the Milky Way lately; sense of community
- Staff has helped with light duty after injury
- Staff truly cares, doing their best and is honor to work here
- Thank you, flowers, shovel in winter; have gratitude; gossip can be negative; check out "words matter.org"
- Thanks to our Attorney for hanging out!

17. Board of Trustees Training Program

Lisa Kunze, Town Projects Assistant, led the board in a discussion of the Programs in planning or process. Board Members will complete Prioritization Homework by October 1.

18. New Business from Board of Trustee Members

No new business.

19. The Next Board of Trustees Training Workshop is October 3rd, 2023 (tentatively).

No Board training on Oct 3; instead there will be a Budget SUPPLEMENTAL MEETING on October 10th.

20. The Next Board of Trustees Regular Meeting is Tuesday, October 17th, 2023, at 6:30 pm.

In person with remote access.

21. Adjourned Meeting

TRUSTEE SINGMASTER MOTIONED TO ADJOURN, TRUSTEE BELCHER SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 9:57 PM.


(Mayor Wendy Koch)


(Town Clerk Jeannette Piel)

COPY

**TOWN OF EMPIRE, COLORADO
RESOLUTION 22-24**

**A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO AUTHORIZING THE
MAYOR TO SEND OF A NOTICE OF WITHDRAWAL FROM THE CLEAR CREEK
COUNTY COMMUNICATION CENTER INTERGOVERNMENTAL AGREEMENT**

WHEREAS, the Town of Empire (the "Town") is authorized by Section 29-20-101, *et seq.* of the Colorado Revised Statutes to enter into intergovernmental agreements with other municipalities and counties; and

WHEREAS, in 2017, the Town enter into the Intergovernmental Agreement for the Operation, Administration, and Financial Support of the Clear Creek County Communications Center ("IGA"); and

WHEREAS, pursuant to Section of Article IV of the IGA, the Town may withdraw from the IGA with one-year's written notice; and

WHEREAS, the Town of Empire Board of Trustees ("Board") wishes to authorize the Mayor to send notice of withdrawal; and

WHEREAS, hereby the Board authorizes the Mayor to send a notice of withdrawal from the IGA.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF EMPIRE, COLORADO:**

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board hereby authorize the Mayor to send a notice of withdrawal from the IGA.

Section 3. This resolution shall take effect immediately upon its approval by the Board of Trustees.

ADOPTED AND APPROVED this 27th day of December 2022.

TOWN OF EMPIRE, COLORADO



Wendy Koch, Mayor

ATTEST:



Jeannette Piel, Town Clerk

Revised User Fee Calculations - Clear Creek County

All information contained within should be considered for discussion purposes only. All parameters would have to be approved by the Jeffcom Board of Directors.

CONFIDENTIAL 09.01.2023

Agency	2022 CFS	Cost	Capital	Total
CLEAR CREEK FIRE AUTHORITY	125	\$ 64.- 8,088	\$ 1,618	\$ 9,705
Co-Response with EMS	1,445	\$ 32.- 46,746	\$ 9,349	\$ 56,095
CLEAR CREEK EMS	250	\$ 64.- 16,175	\$ 3,235	\$ 19,410
Co-Response with Fire	1,445	\$ 32.- 46,746	\$ 9,349	\$ 56,095
CLEAR CREEK SHERIFFS OFFICE	4,024	\$ 39.- 159,149	\$ 31,830	\$ 190,979
Self-Initiated	6,354			
EMPIRE POLICE DEPARTMENT	201	\$ 39.- 7,950	\$ 1,590	\$ 9,539
Self-Initiated	184			
GEORGETOWN POLICE DEPARTMENT	690	\$ 39 27,290	\$ 5,458	\$ 32,747
Self-Initiated	1,177			
IDAHO SPRINGS POLICE DEPARTMENT	2,392	\$ 39. 94,604	\$ 18,921	\$ 113,524
Self-Initiated	2,352			

Revised Calculations **	9,127	\$	406,746	\$	81,349	\$	488,095
Self-Initiated	10,067						
Previous Calculations	22,266	\$	962,735	\$	192,547	\$	1,155,282

* 1,200 For Mobile CAD license

** Revised Calculations are based on discussions with agencies and re-classifying some categories of calls as Self-Initiated (Actual calls vs. self-initiated may be higher or lower and therefore costs may change)

- All LE Personnel would be required to have Jeffcom Mobile CAD Licenses (\$1200/user annually)
- Clear Creek County Sheriff's Office would be required to have at least 1 Jeffcom Mobile CAD License at the Jail (\$1200/terminal)
- Fire / EMS would be required to have at least 1 Jeffcom Mobile CAD License each (\$1200/user annually)
- Under these assumptions, CAD-to-CAD integration may not be necessary (\$50,000 cost avoidance)
- Jeffcom would need access to Clear Creek County eForce RMS for Warrant Confirmation

Policy for Minutes for Board of Trustees and Planning Commission Meetings
Prepared by the Town of Empire Administrative Staff

1. TAKING MINUTES FOR OPEN MEETINGS:

All Board of Trustees and Planning Commission Meetings where business may be discussed and actions may be taken are considered open meetings and shall be posted, shall have an agenda, and shall have minutes approved at a subsequent meeting to preserve for the public record. This is in accordance with Empire Ordinance 248. The minutes shall include motions, Ordinances and Resolutions, any vote, and the name and viewpoint of any resident making a comment during public discussion, public comment, or public hearing. Minutes reflect the actions that were taken during the meeting and are not a word for word transcription.

2. PERSONNEL TO TAKE MINUTES:

The minute taker for the meeting shall not be the meeting chair or a voting member of the group and will be a staff member appointed by the Town Clerk. The minute taker is responsible for the accuracy of the minutes and if any conflict or need for clarification arises, the minute taker will consult the meeting recording for interpretation to ensure the integrity of the information.

3. APPROVAL OF THE MINUTES:

The agenda for any Town Meeting is posted on the Town Website and emailed to the Town Officials participating in the upcoming meeting a minimum of 24 hours before the start of the meeting, in accordance with open meeting laws. A draft of the previous meeting minutes will be emailed to the appropriate officials prior to the meeting in which the officials will adopt the minutes as an accurate public record. If, at meeting time, any voting member has not read the minutes to be voted on, the meeting chair will allow time for all members to read the minutes before voting. This ensures accountability for the officials voting on meeting minutes, and accountability for the information being added to the public record.

4. MEETING RECORDINGS:

All board or commission meetings will be recorded for the sole purpose of using the recording to complete accurate minutes. In accordance with the Colorado Records Retention Schedule which has been adopted by the Town of Empire, meeting recordings shall be kept a minimum of six months beyond the date that the minutes were adopted. The Town of Empire will also keep all meeting recordings for a particular process, such as annexation, subdivision, and anything requiring a several step approval process, for a minimum of six months beyond the date of the final action in that process.

5. POSTING MINUTES:

All signed meeting minutes will be kept in perpetuity in digital form. The current year along with the previous three years will be kept as paper copies in a binder in Town Hall along with all the information in the meeting packet, which may include the following: signed agenda, signed minutes, a copy of Ordinances and Resolutions, a copy of checklists and reports, and any other documents presented in the meeting. These same meeting packets in digital form will be uploaded onto the Town Website. All information older than three years will be digitally archived into a single file by year and uploaded on the Town Website. This ensures transparency for all meeting information.

COPY

**TOWN OF EMPIRE
Clear Creek County, Colorado
Ordinance 248**

**AN ORDINANCE OF THE TOWN OF EMPIRE CONCERNING THE TAKING OF ACTION
MINUTES FOR REGULAR BOARD OF TRUSTEE MEETINGS**

Whereas, the Town of Empire has directed staff to prepare action minutes for regular board of trustee meetings moving forward from the adoption of this ordinance; and

Whereas, all board of trustee meeting minutes will follow the same procedure;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF EMPIRE, COLORADO, AS FOLLOWS:**

SECTION 1. Definition

MINUTES: For purposes of the Town of Empire Code, the term minutes shall mean action minutes of the meeting of board of trustees. Action minutes shall mean motions, resolutions and/or ordinances, the vote of any motions, resolutions and/or ordinances, and the name of any citizens speaking under public comment and/or public hearings and their stance.

In case of conflict or need for clarification between the action minutes and the board of trustee meeting audio recording, the audio recording shall be consulted for interpretation. The audio recordings of meetings shall be kept in accordance with the Town of Empire Records Retention Policy, effective January 2011, following the Colorado Municipal Records Retention Schedule, as currently approved by the Colorado State Archives and as it may be revised and amended from time to time.

SECTION 2: Severability

If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

SECTION 3: Repealer

All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ AND PASSED ON FIRST READING at a Regular Meeting of the Board of Trustees of the Town of Empire, Colorado, held on the 21st day of March, 2017.

PUBLIC HEARING held on the 21st day of March, 2017.

PASSED, ADOPTED AND APPROVED, on first reading and following public hearing, by the Board of Trustees of the Town of Empire, Colorado, on the 21st day of March, 2017.

Policy for Public Participation in Town Meetings
Prepared by the Town of Empire Administrative Staff

1. ACCESSING MEETING MATERIALS:

- A. In accordance with Colorado Open Meeting Law, the agenda for any public meeting shall be posted 24 hours before the meeting. The official posting place for the Town of Empire is our Website: www.TownOfEmpire.Colorado.gov. As a courtesy, we also post a copy of the agenda on the Town Hall front door and the Post Office bulletin board. In addition, Public Hearing Notices are posted in the Clear Creek Courant no less than 15 days before the Public Hearing Meeting. Materials that may be sent to Town Officials before their respective meetings include the agenda, previous meeting minutes to be approved, Ordinances and Resolutions to be voted on, and all work product not yet approved, including all materials related to agenda items.
- B. The Public can view this new material at the meeting and may respond during the public discussion listed within that agenda item, during a public hearing, or during public comment at the end of the meeting. These materials are available after the meeting by emailing Clerk@EmpireColorado.us to make an appointment to view them until they are posted on the Town Website.
- C. The public may access the previous month's Meeting Packet in its entirety only AFTER the minutes have been approved the following month. Unfortunately, these legal requirements do create a lag in access to materials, but again, one may view any of them by making an appointment with the Clerk.

2. OPPORTUNITIES FOR PUBLIC ENGAGEMENT IN A MEETING:

- A. Public Discussion within a specific agenda item:
 - i. Always occurs after any staff report and governing body discussion but before any action item.
 - ii. Please keep discussion focused on the agenda item.
 - iii. May be phrased as questions; could lead to a discussion.
- B. Public Hearing within a specific agenda item that will be voted on and adopted:
 - i. Public Hearing will be opened and closed during the agenda item.
 - ii. Always occurs after any staff report and governing body discussion but before any action item.
 - iii. Please keep discussion focused on the agenda item.
 - iv. May be phrased as questions; could lead to a discussion.

C. Public Comment at the end of every public meeting:

- i. Public Comment is not a requirement of public meetings, however, the Town of Empire has a strong tradition of encouraging open Public Comment at the end of all Town Meetings.
- ii. Public Comment can be a statement or question on any topic that was not addressed in the meeting.
- iii. Please understand that your governing body is not allowed to address questions or engage in discussion during Public Comment.
- iv. Staff will research questions and address them individually or at the next meeting.
- v. Statements emailed by members of the public not in attendance will be given to the governing body to read but will not be read out loud by a member of the staff or the governing body during a meeting.
- vi. Public Comment is limited to five minutes per person.

3. TIPS FOR FRAMING PUBLIC COMMENTS IN A MEETING:

- A. Always address comments to your governing body as a group and do not single anyone out.
- B. You can ask questions, voice concerns, and make comments about any topic. Your governing body wants to hear how issues will directly affect you.
- C. You can also ask about any governmental process, the timeline of any process, voting, where to find this information in the Municipal Code, and any other procedural questions you have.
- D. If you have operational questions, please email Clerk@EmpireColorado.us to ask those questions.
- E. YOU are an important part of the meeting process, and you may bring up issues that your governing body has not yet considered. Please don't hesitate to ask questions. Stay informed to stay involved!

4. DECORUM:

- A. Keep questions and comments factual.
- B. Avoid personal attacks.
- C. In accordance with Empire Ordinance 254, Article IV, Section 1 & 7, it is illegal to disrupt a Town Meeting or make threats against Town Officials or Staff.

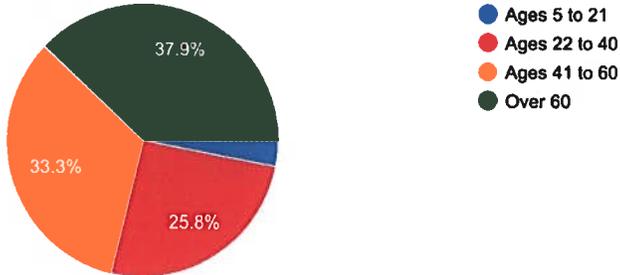
Town of Empire - Minton Park Survey Results

September 15, 2023

Participant Demographic Raw Data:

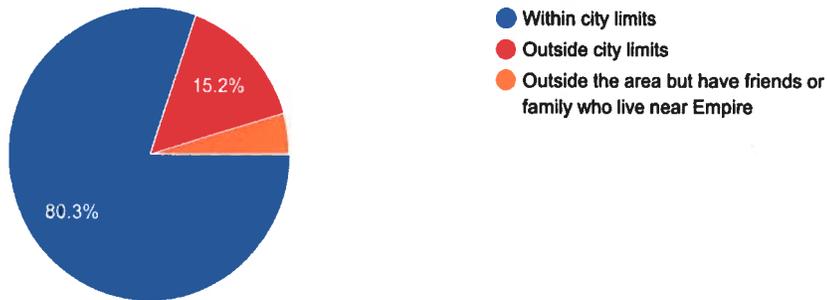
Basic Demographic Information: Your age range is...

66 responses



I live...

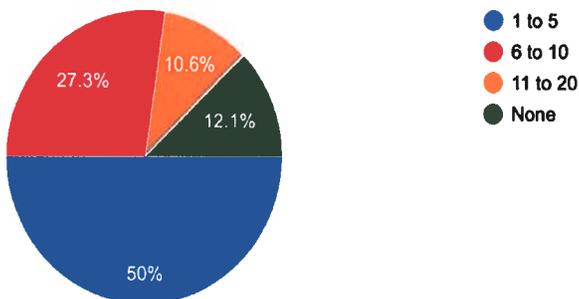
66 responses



Current Park Usage Raw Data:

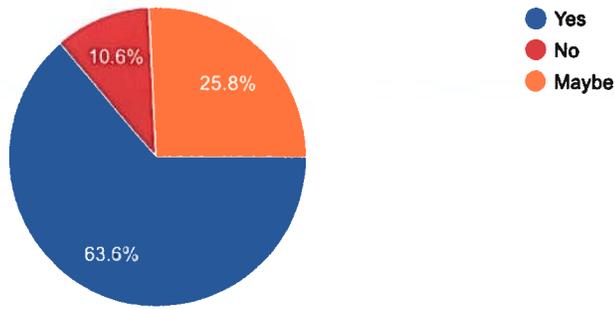
How many days per month on average do you use at least one of the Minton Park features?

66 responses



Would a bathroom at Minton Park encourage you to visit the park more frequently?

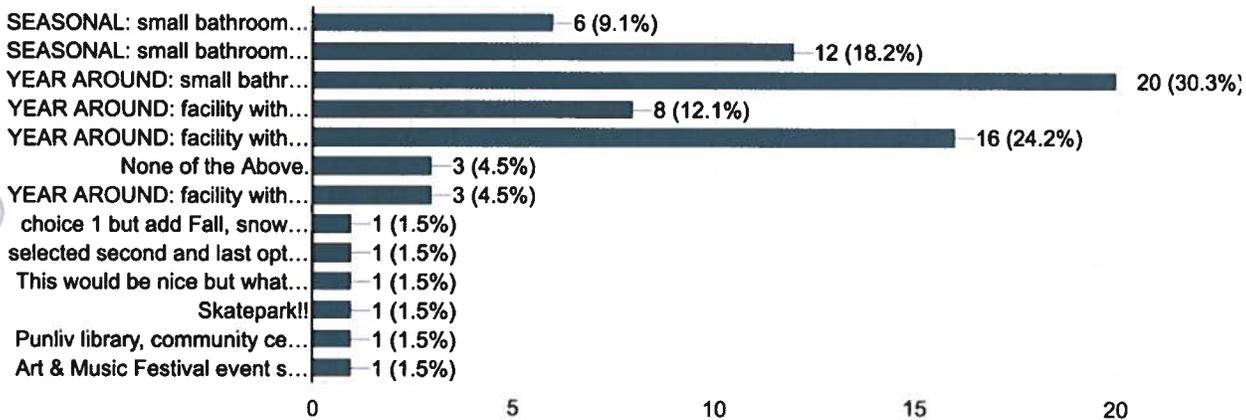
66 responses



Type of Bathroom Preferred Raw Data:

If we had adequate funding for all of the following options, which ONE would you choose as a goal for Minton Park? Assume every option has an ADA compliant bathroom stall.

66 responses



If money were no barrier, what else would you like to see at Minton Park (unedited responses)?

1. Wildlife viewing station
2. enclose west end and half of the north and south sides of the pavilion
3. monitor facilities by video camera ... to minimize vandalism
4. Dark Skies compliant nighttime lighting
5. preserve the glacial moraines that the border the park (elk have three choices for east west
6. travel across Bard Creek Rd: along the south bank of W, Fork Clear Cr. and across the land fill across the glacial moraine along the ridge behind Sparks' and crossing Bard Creel Rd north of Romine's place.) Crossing the moraine is the most direct route and is used > 10 times/yr)
7. cemetery: clean up, landscape, survey, map, and GPR scan it for unmarked graves
8. create ordinance or resolution controlling use of drones in the park, and town
9. build a foot bridge from S, Daily street across W. Fork of Clear Creek, connecting to a new trail up to the park
10. Same trail to have a branch up to the new Open Space area on the plateau east of town
11. Restrict use of the Open Space to ADA compliant and foot traffic
12. Bring baseball games back to the ball field
13. create and plant flower beds (using varieties unattractive or attractive to wildlife?) outside fence behind home plate
14. create lake where we are now dumping fill

15. stabilize steep eroding slope at NW corner of cemetery
16. add another Public Works employee for snow removal
17. winter winds are channeled W → E across the park, and can be quite fierce (I've been slammed against the ball field fence) ... snow drifts will accumulate ... collect wind speed data and design structures to withstand wind ... put doors on east sides of structures
18. Design structures to include plenty of large windows ... the beautiful scenery will enhance the experience in the facility (google "Hurricane Proof window glass" ...)
19. Create a Public Works position "Park Host" (like the national park's "Campground Hosts")?
20. amphitheater for concerts,
21. A launch platform for Space X
22. Concert halls and meeting gathering buildings
23. Security cameras, water at the dog park
24. Amphitheater for concerts and events like concerts
25. Golf course
26. Event capabilities for entertainment and groups camping like the jeep club. Have a promotion/marketing person to organize.
27. Remove all the asphalt that has been put down on the way to the park, at the roundabout and by the dog park. We need our old beautiful dirt roads back.
28. Dog wash station
29. Removal of Mount Rotomill and a fishing pond
30. Wedding friendly outdoor space for more revenue opportunities. Perhaps a small multi-use amphitheater with screen projection for outdoor movie nights and local band performances.
31. Summer upkeep to look more presentable and event-functional options to host outdoor weddings for out of towners to attract more revenue for town
32. skateboard park for the youngins
33. Frisbee Golf, Archery range
34. Replace basketball hoop nets and level hoops regularly. Maybe have a trail around it that you can walk or jog.
35. Amphitheater to attract concerts
36. increase the size of the dog park, use of ball fields?
37. the asphalt GONE permanently
38. more swings and RV hook ups
39. A stage for bands in the ball field.
40. A volleyball court
41. A skate park for the kids.
42. Recreational programming
43. Pickelball
44. Ball Placer clean up
45. Walking paths with art installations
46. paved parking area larger
47. A band stand for events
48. refurbish the ball field
49. music stage/venue

ANALYZED DATA

Demographics of Survey Respondents:

The 66 total respondents during the month of August, 2023, represented a broad cross-section of ages, with 37.9% from the over age 60 group, 33.3% between the ages of 41 and 59, 25.8% were in the age 22 to 40 bracket and 2 respondents reported being between the ages of 5 and 21.

Geographically, 80.3% of respondents live within the town limits of Empire. An additional 15.2% reported residing outside of town limits, with the remaining respondents living outside the area but who report using the park while visiting friends or family who live in town.

Current Minton Park Usage:

Features: Four of the 66 respondents (6.1%) report using NONE of the park features listed in the survey. The features listed ranged from a minimum of 9 clicks indicating usage (horseshoe pit) to 44 clicks for the Pavillion. Respondents could select more than one option. Results are as follows:

Feature	Raw Count (percentage of respondents)
Pavillion	44 (66.7%)
Dog Park	41 (62.1%)
Playground	35 (53%)
Open Field	32 (48.5%)
Cemetery	29 (43.9%)
Ball Fields	25 (37.9%)
Basketball Courts	22 (33.3%)
Horseshoe Pits	9 (13.6%)

Frequency: When reporting on the average number of days per month respondents “use at least one of the Minton Park features,” exactly half of the respondents indicated visiting the park 1 to 5 times per month. 27.3% visit an average of 6 to 10 times per month and an additional 10.6% visit 11 to 20 times. Only 12.1% of respondents report never using any of the Minton Park features. The present options for recreation at the park appear to be well used, and continuing efforts to maintain these features are justified.

Would a bathroom at Minton Park encourage you to visit the park more frequently?

A full 63.6% of the 66 total respondents reported they would visit the park more if the restrooms were restored. An additional 25.8% indicated that restrooms would maybe encourage them to head to the park more. Only 10.6% said the presence of bathrooms would not get them to visit the park more frequently. A clear majority of respondents view the absence of bathrooms as a deterrent from their use and enjoyment of Minton Park.

Type of Bathroom Facility:

While non-bathroom responses (skatepark, library, festival etc) were recorded in the “other” type of ADA compliant bathroom option, a total of 19 respondents (the survey results separated this choice into 2 different lines in the final chart) selected the “YEAR AROUND: facility with bathrooms, kitchen/concession area, large open indoor space for events (entire facility would be ADA compliant, allowing for better accessibility for possible meetings and events)” option, representing the most popular selection. The next most popular selection was “SEASONAL: small bathrooms with a few stalls, working water and sewer in the summer” with a total number of 12 respondents. These two options are almost entirely opposite of each other, one being a permanent year around structure complete with concession and meeting areas and the other being seasonal with working water and sewer.

The 3rd and 4th most-selected options follow the same pattern, with 8 respondents choosing the more permanent “YEAR AROUND: facility with bathrooms and kitchen/concession area for Park events” option and 6 selecting the most inexpensive “SEASONAL: small bathrooms that need to be pumped out continually (summer only)” option. Finally, three respondents selected the “none of the above” options.

Other desired features if money were no barrier:

A total of 50 “other” features were suggested, ranging from wildlife viewing stations to a full venue amphitheater. The responses are categorized as follows:

1. Seasonal recreation:

The most often suggested category to expand if money were no issue is seasonal, outdoor day recreational features. Six respondents suggested variations of walking trails, with a focus on art and wildlife viewing. Four respondents mentioned expanding the size and use of the ball field for more recreational programming

2. Entertainment:

The second most popular feature, with 9 respondents suggesting similar venues, was to create an outdoor bandstand/amphitheater venue space for music, weddings and movie nights.

3. Protection of park assets:

Several respondents suggested methods to protect the assets from vandalism and extreme winds and winter weather, continual problems at Minton Park. From installing cameras and dark skies-compliant night lighting to enclosing sides of the Pavillian, creating east-facing doors and gathering wind speed data, our residents value maintaining current park features and planning any future additions to address these concerns.

4. Conservation of natural resources:

Residents also value preserving the glacial moraines that surround the Empire valley and Minton Park as well as maintaining land for wildlife who depend on the area for crossing. It is clear citizens want to protect nature in all future park planning.

In addition, these features were mentioned once each:

- Dog wash station
- Water at dog park
- Make dog park bigger
- Regulate drone usage with an ordinance
- Continue work on Cemetery
- More parking
- Space X launch pad
- Golf course
- Archery range
- Pickleball
- Volleyball
- Frisbee golf
- Maintain basketball hoops more regularly
- More swings
- More RV hook-ups
- Flower beds behind home plate on fence, research flower that attract/detract wildlife

5. Unanticipated findings:

Eight respondents mentioned the ball placer and asphalt millings stored there in their open-ended comments. The ball placer is adjacent to Minton Park, but not considered a viable town asset until that area completes the 20-year process dictated by BLM and other agencies of reclamation steps required before any further recreational development may occur. Three respondents suggested cleaning up the area, and two mentioned creating a lake or fishing pond. Five respondents mentioned the asphalt millings as a concern, all requesting they be completely removed from the area.

STAFF CONCLUSIONS:

Over the past several years, members of the Empire community have requested bathroom facilities at Minton Park during Public Comment at Board of Trustee meetings. The present facilities have been deemed environmentally unsafe and replacing them may be costly, so the primary purpose of the survey was to establish a local vision for the next 20 years for Minton Park, including to establish support for maintenance and/or expansion of bathrooms and other features that may enhance usage of the park in the immediate future and for years to come.

Clearly, Minton Park is valued by the citizens of the Empire Valley and beyond. Google maps shows visitors also value the park and it is rated presently at 4.7 out of 5 stars as a "hidden gem" for travelers. Each feature is used and if money were no object, residents envision expanding the park into the future with a range of creative suggestions.

Staff have concluded the following from the results of this survey:

1. Minton Park is valued by residents and visitors, and a new bathroom facility is supported by a clear majority of survey respondents.
2. The results of the type of ADA compliant bathroom options were unclear. Therefore, further research into the community's preferences for each option is recommended.
3. All present features at the park are utilized and require regular maintenance; future options range from the very simple, inexpensive to the very complex, expensive and need strategic investigation.
4. The Town of Empire would greatly benefit by the formation of a formal Parks Advisory Committee for the creation of the Parks Master Plan that would strategically incorporate priorities from the Comprehensive Master Plan to envision how all of the Town's parks and recreational assets should be best improved and supported into the next two decades.
5. Initial outside grant funds may be pursued to complete a project needs assessment for the entire Parks Department, which may include creating an advisory committee and developing the Parks Master Plan.
6. When considering previous public comment and the results of this survey, the first priority may be to solve the complex bathroom facility problem at Minton Park.
7. 2024 Town Budget funds may be allocated for:
 - as a match for any outside funding for the initial parks planning,
 - as a match to study the environmental impacts of removing present bathroom facilities and the costs of any future ADA compliant restroom facility options,
 - support for town staff to do grant management and planning, and
 - support for any activities needed by the park advisory committee.

DOCUMENTATION:

Link to raw data spreadsheet:

 Minton Park Survey - Town of Empire, CO (Responses)

Link to google forms survey results:

<https://forms.gle/ieKPCPRiWhhBcbpQ9>

COPY

**TOWN OF EMPIRE, COLORADO
RESOLUTION 21-18**

**A RESOLUTION OF THE TOWN OF EMPIRE, CLEAR CREEK COUNTY,
COLORADO DECLARING A LOCAL DISASTER EMERGENCY DUE TO THE
WORKFORCE HOUSING CRISIS**

WHEREAS, the Town of Empire, Colorado (the "Town") has determined the housing shortage has created a local disaster emergency in the Town as well as surrounding areas in Clear Creek County; and

WHEREAS, it is essential to the Town's local economy and sense of community that our workers and their families live in Empire and Clear Creek County, for without these workers our local businesses could not survive, much less thrive; and

WHEREAS, the dislocation of workers from our Town and community creates stress on our workers, local businesses, and the environment due to the long commutes over mountainous terrain; and

WHEREAS, The Town must increase the number of affordable workforce housing units in the community so that our medical workers, teachers, firefighters, law enforcement officers, service workers, and other critical members of our workforce can afford to live in the same community as they serve; and

WHEREAS, mountain and resort communities such as the Town face unique challenges regarding our housing inventory such as a supply that is constrained by land shortages, labor shortages, high construction costs, the second homeowner market, and the increasing popularity of short-term rentals in residential units of all types; and

WHEREAS, over the course of the last several years including those before the onset of the COVID-19 pandemic, housing for the Town's local workforce had become increasingly out of reach such that it was very difficult for workers and their families to stay in Empire and our surrounding Community; and

WHEREAS, in the aftermath of the COVID-19 pandemic, the Town is seeing business and societal shifts brought on from remote working options that allow many second homeowners to move to Empire and our surrounding community on a full-time basis and allow high-income remote workers to purchase homes and relocate to our Community, which has also exacerbated the housing shortage; and

WHEREAS, according to the 2020 Colorado Census statistics, The State of Colorado is among the fastest growing states in the last decade and expected to continue for the next decade; And the State of Colorado census showed a growth from 2010-2020 of 14.8% in population while only a 12.6% growth in housing units; And the Census growth for both Clear Creek County and Empire are in double-digit percentage growth; Census data from the Colorado Dept. of Local Affairs State Demography Office shows

the Town of Empire's growth at 10.64% in population and in the immediate vicinity a growth of 22.3% from 2010-2020; And Census data indicates that housing growth in the Town has only grown 7.2% in housing units; and

WHEREAS, although the impacts of the COVID-19 pandemic have been widespread, the economic and housing impact of the pandemic has fallen most severely on lower-income households and people of color and/or age, who are already more challenged than the general population to find adequate housing; and

WHEREAS, the federal government recognized the disproportionate impact of COVID-19 on housing needs of vulnerable populations, households, and geographic areas and enacted the "American Rescue Plan Act of 2021" to provide support to state, local, and tribal governments in addressing housing issues; and

WHEREAS, the State of Colorado has enacted House Bill 21-1117, which recognizes the affordable housing crisis in Colorado and empowers local governments to regulate the development or redevelopment of property within their jurisdictions to promote new affordable housing units; and

WHEREAS, many local businesses and public entities are struggling to attract and retain employees and the lack of affordable housing is a major contributor to this workforce shortage with the result that local businesses are closing or reducing their hours of operation; and

WHEREAS, the Town anticipates that without appropriately responding to the immediate shortage of affordable and available workforce housing, the number of residents and employees unable to find housing will rise, additional displacement will occur, and that the current problems of workforce shortages will be exasperated; and

WHEREAS, the Town is working with stakeholders and Clear Creek County on the Clear Creek County Housing Strategy 2021 to better define a strategy and workable plan to address the housing crisis; and

WHEREAS, the Town is aggressively working to improve the Town's infrastructure due to current demands on water and sewer; and

WHEREAS, in 2020 and 2021, the Town has been aggressively making updates and changes to the Town Master Plan and Zoning Ordinances, in part, to increase housing and affordability; and

WHEREAS, the Town seeks to work with stakeholders to develop attainable housing for the workforce and community; And the Town seeks to improve development of current and future housing opportunities in a variety of low, medium, and high density housing units; and

WHEREAS, the Town is being proactive and creative to partner with public and private organizations to explore and develop housing units to address the specific needs defined by various community groups under various programs and laws (ex. HUD, low income, employee housing, elderly, etc.), and

WHEREAS, the Town continues to seek collaborations and funding with public and private entities and programs to include, but not limited to: the Clear Creek Housing Strategy 2021, developing a Multi-Jurisdictional Housing Authority, Low Income Housing Tax Credit (LIHTC), USDA and HUD programs (Section 8, vouchers, etc.), Colorado Legislation (HB21-1117 and HB21-1027, C.R.S. 8-4-123, *et. al.* on employee housing and labor laws), and develop an Opportunity Zone under the Colorado Office of Economic Development and International Trade; and

WHEREAS, the Town of Empire acknowledges that a solution to the affordable workforce housing shortage will require a multi-pronged approach, including the construction and acquisition of new workforce housing units, the modification of existing regulations, and creation of new incentive programs – all of which will require substantial additional funding from not just local resources but also state and federal sources; and

WHEREAS, the cost and magnitude of fully and promptly responding to and recovering from the impact of the ensuing event is in excess of the Town's available resources; and

WHEREAS, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events; and

WHEREAS, the Town has the authority to declare a local disaster emergency pursuant to C.R.S. § 24-33.5-709(2).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD TRUSTEES FOR THE TOWN OF EMPIRE, STATE OF COLORADO THAT:

1. The above recitals are incorporated by reference.
2. **Local Disaster Emergency Declared.** A workforce housing crisis exists in the Town of Empire and our community which constitutes a local disaster emergency and that warrants immediate action by local, state, and federal authorities. Inaction will result in irreversible changes to the fabric of the community and limit the ability of the community to serve visitors and residents alike. The state of disaster emergency shall continue until rescinded by the Board of Trustees.
3. **Powers.** This resolution grants to the Town all powers granted to it pursuant to C.R.S. § 24-33.5-709 and as otherwise proscribed by state and federal law. Furthermore, the Town declares as follows:

- a. Governments, businesses, and other employers in Empire and our community must thoroughly explore and implement all viable strategies to mitigate the current workforce housing crisis.
- b. The representatives of the citizens and businesses of the Town of Empire implore Governor Polis and the State of Colorado to recognize the nature of the housing emergency in Colorado's High Country and to allocate funding from the American Rescue Plan Act of 2021, or any other available sources, to assist the Town of Empire and our community in the attainment of affordable housing.
- c. These ongoing efforts to improve housing needs in Empire will continue to allow local businesses and public service providers to keep a quality workforce in the Town of Empire, surrounding communities, and in Clear Creek County, resulting in a stronger economy and more robust community which will ultimately benefit the State of Colorado as a whole because our exceptional recreational amenities are cherished by the residents of Colorado as well as citizens across our nation who visit the Town.

4. Resolution to be filed with the Colorado Office of Emergency Management. This resolution shall be promptly filed with the Colorado Office of Emergency Management.

5. This resolution shall be effective immediately upon adoption.

ADOPTED this 14th day of December 2021

TOWN OF EMPIRE

BY:

Wendy Koch
Wendy Koch, Mayor

ATTEST:

J Piel
Jeannette Piel, Town Clerk

The Relationship of an Ordinance to The Comprehensive Master Plan
Town of Empire, Board of Trustee Continuing Education & Training
September 5, 2023

Training Goals:

1. *The Board of Trustees will process the introductory Jeopardy Training.*
2. *The Board of Trustees will become aware of the various documents that form our statutory town by State law and will understand the relationships between the Master Plan and Ordinance/Resolution, Policies/Plans and Procedures formation and resulting legal enforcement of each.*

State of Colorado defines a COMPREHENSIVE MASTER PLAN:

The master plan of a municipality is an advisory document to guide land development decisions; however, the plan or any part thereof may be made binding by inclusion in the municipality's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate.

[2020 Colorado Revised Statutes Title 31 - Government - Municipal Article 23. Planning and Zoning Section 31-23-206. Master plan.](#)

FROM OUR ORDINANCE 170's General Provisions, Article 1, Section 8:

8. Relationship to Comprehensive Plan

It is the intention of the Town that this Ordinance implement the planning policies recommended by the Empire Planning Commission and adopted by the Board of Trustees for the Town and its extraterritorial planning area, as reflected in the Comprehensive Plan and other planning documents. While this relationship is reaffirmed, it is the intent of the Town that neither this Ordinance nor any amendment to it may be challenged on the basis of any alleged nonconformity with any planning document. In case of conflict, this document takes priority.

DEFINITIONS

Empire BOT Training, 9/5/2023

ORDINANCE:

An Ordinance is a law enacted by a local government. It establishes the rules for the operation of the local government or provides rules and regulations governing public activity in the community. YOU are our lawmakers. You approve Ordinances which become laws.

RESOLUTION:

A Resolution is a document used to express an opinion or a purpose with respect to a given matter or topic that is temporary in nature. One example is setting fees, which are considered temporary because they need to change periodically. Another example is giving consent to sign a contract which covers a specific time period. Any decision that needs to be made, but does not need to be a law, will be made using a Resolution.

8. Table of Requirements

The plat and plans submitted shall conform to the following,

	<u>SKETCH</u>	<u>PRELIMINARY</u>	<u>FINAL</u>	<u>MINOR PLAT</u>
1. Plat Map, Number Required	2	5	5	5
2. Proposed name of Subdivision	X	X	X	X
3. Name and address of :				
a. Subdivider	X	X	X	X
b. Owners	X	X	X	X
c. Land Planner		X	X	
d. Land Surveyor registered in the State of Colorado		X	X	X
4. North arrow, date of preparation	X	X	X	X
5. Scale-written and graphic	X	X	X	X
6. A key or index shall be on the first page if the plat consists of more than one page.	X	X	X	X
7. Statement or tabulation reflecting the total acreage of the subdivision and the breakdown as to land uses, such as building lots, streets, deeded public areas. (4.1(a))	X	X	X	X
8. Significant topographic features (4.1 (b)).	X	X	X	X
9. Schematic and narrative representations of the proposed land use . (4.1(c))	X	X		
10. The basic internal road and pedestrian access scheme and the surrounding road system (existing and future) providing access to the site. (4.1 (d))	X	X	X	X
11. Legal description, Plat, Page and Book Number, of subdivision (4.1(e))	X	X	X	X
12. All recorded easements, encroachments, or rights of way which could affect the proposed development. (4.1(f))	X	X	X	X
13. All existing structures, utilities or other physical features which could affect the proposed development. (4.1(g))	X	X	X	X
14. Boundary lines of the subdivision in a heavy solid line (4.1(h))	X	X	X	X
15. Any other data essential to the evaluation as may be requested by the Town to enable an adequate conceptual evaluation of the proposed subdivision. (4.1 (i))	X	X	X	X
16. Indication of existing zoning. (4.1(j))	X	X	X	X

	<u>SKETCH</u>	<u>PRELIMINARY</u>	<u>FINAL</u>	<u>MINOR PLAT</u>
17. Preliminary plans showing how the following will be provided to the subdivision and a preliminary plat and plan showing how the utility and street systems will be laid out within the subdivision. (5.1.4), (7.2.3) (a) Water Supply (b) Sewage Disposal (c) Electricity (d) Natural Gas (e) Storm Water Drainage (f) Telephone (g) Street Lighting (h) Cable		X		X
18. Proposal Summary (5.1.5), (7.2.4)		X	X	X
20. Specific plat and plans for : (6.1.1),(7.2.5) (a) The site and at least 100 feet adjacent thereto, (6.1.1(a)) (b) Utility systems, (6.1.1(b)) (c) Exact boundaries, street locations, etc. (6.1.1(c))			X X X	X X X

ARTICLE XI Subdivision Of Land In The Town Of Empire

	<u>SKETCH</u>	<u>PRELIMINARY</u>	<u>FINAL</u>	<u>MINOR PLAT</u>
21. The Final Plat shall show all survey and mathematical information and data necessary to locate all survey markers and to locate and retrace any and all interior and exterior boundary lines appearing thereon including bearings or angles, continued with distances and deflection angles for all circular curves. The Final Plat shall show location and description of all section corners and permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced. (6.1.2),(7.3.6)			X	X
22. Detailed descriptions of: (6.1.3), (7.3.7)				
(a) Dedications			X	X
(b) Drainage			X	
(c) Streets			X	X
(d) Easements			X	
(e) Detailed and Final Utility Systems Plat and plans.			X	
(f) Covenants			X	X
23. A commitment for title insurance showing the ownership to the property in the proposed subdivision. (6.1.4 (a)), (7.3.8 (a))			X	X
24. Treasurer's Certificate of Taxes, reflecting that taxes are not delinquent. (6.1.4 (b)), (7.3.8 (b))			X	X
25. A warranty deed which deeds to the Town or other appropriate public agencies all lands other than streets which are to be held for or used for public purposes. (6.1.4 (c)), (7.3.8 (c))			X	X
26. Proof satisfactory to the Town that all essential services as specified in Section 5.1.4 and 7.3.3 will be provided to the subdivision. (6.1.4 (d)), (7.3.8 (d))			X	X
27. Certificates (Section 9)			X	X
(a) Certification of Dedication and Ownership				
(b) Street maintenance agreement, if applicable				
(c) Surveyor's Certificate of Survey, signed with his seal, and the date of the survey				
(d) Title Certificate				
(e) Certificate of Planning Commission approval				
(f) Certificate of Board of Trustees approval				
(g) County Clerk and Recorders Certificate				
28. Subdivision Improvements Agreement (6.1.6)			X	

9 Certificates

ARTICLE XI Subdivision Of Land In The Town Of Empire

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Administrative Department

Essential Functions Management ???

Town Records

CORA

Accounts Payable & Receivable

Utility Billing

Tax Liens

Licenses:

Business, Liquor, Marijuana, Short-Term Rental

Permits:

Special Events, Excavation, OHV, Parking, Signs, Conditional Use

HR Program

Personnel Policy Manual

Staff Job Descriptions

Operational Procedures

Benefits

Staff Development & Succession Planning

Elections

Administrative Support for Town Officials

Orientation & Training Program

Meeting Support

Minutes Policy

Public Participation Policy

Job Descriptions

Town Document Management

Empire Municipal Code Management Program

Comprehensive Master Plan

Vision, Mission, & Culture Statements

Three-Mile Plan

Extraterritorial Plan

Annexation Plan

Hazard Mitigation Plan

Emergency Operations Plan

Comprehensive Safety Plan

Major Street Plan

Records Management & Retention Program

Historical Archive Program

Organizational Chart

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Public Information

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Empire Business Partnership Program

Emergency Outreach Plan & Committee

Volunteer Program

Task Force & Leadership Group Program

Events:

Farmer's Market, Easter Egg Hunt, Devil on the Divide Festival, Halloween

Chili Cook-Off, Christmas Celebration

Strategic Planning & Management

Town (Community) Development

CPTED Crime Prevention Through Environmental Design

Beautification Plan & Program:

Street of Flags, Military Flag Tribute, Flowers, Clean-a-Corner, Community

Garden, Christmas Decorations, Adopt-a-Hydrant

MJHA Multi-Jurisdictional Housing Authority

IHOP Innovative Housing Opportunity Planning Grant

ROMP Recreation in the Outdoors Management Plan

Tourism Plan

CIRSA Safety Management Colorado Intergovernmental Risk Sharing Agency

Financial Management

Budget Plan

Budget Manual

Capital Improvement Plan

Procurement Plan & Policy

Financial Control Plan & Policy

Grant Management

Information Technology Management

Data Control Policy

Hazard Mitigation Plan & Program

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ADA Plan & Policy Americans with Disability Act

Road & Bridge Master Plan & Management

Road & Bridge Asset Management Plan

Fleet Maintenance Program

Equipment Maintenance Program

Street Maintenance Program

Empire Road Design & Construction Standards*

Parks & Recreation Master Plan & Management

Parks & Recreations Asset Management Plan

Grounds Maintenance Program

Playground Inspection Program

Minton Park Plan

Ball Placer Plan

Theobald Park Plan

Welcome Park Plan

Cemetery Plan

Facilities Master Plan & Management

Facilities Asset Management Plan

Facility Maintenance Program

Visitor Center Public Bathrooms

Town Hall Reorganization Project

Water System Master Plan & Management

Water Asset Management Plan

Water Emergency Response Plan

Hydrant Flush & Measure Flow Program

Valve Exercise Program

BPCCC Backflow Prevention Program

Wastewater System Master Plan & Management

Wastewater Asset Management Plan

Wastewater Emergency Response Plan

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Police Department

Municipal Court

Emergency Management

Law Enforcement Policy & Procedure Management*

Code Enforcement

Useful Public Service Program (Community Service)

Reserve Officer Program

Officer Training Program

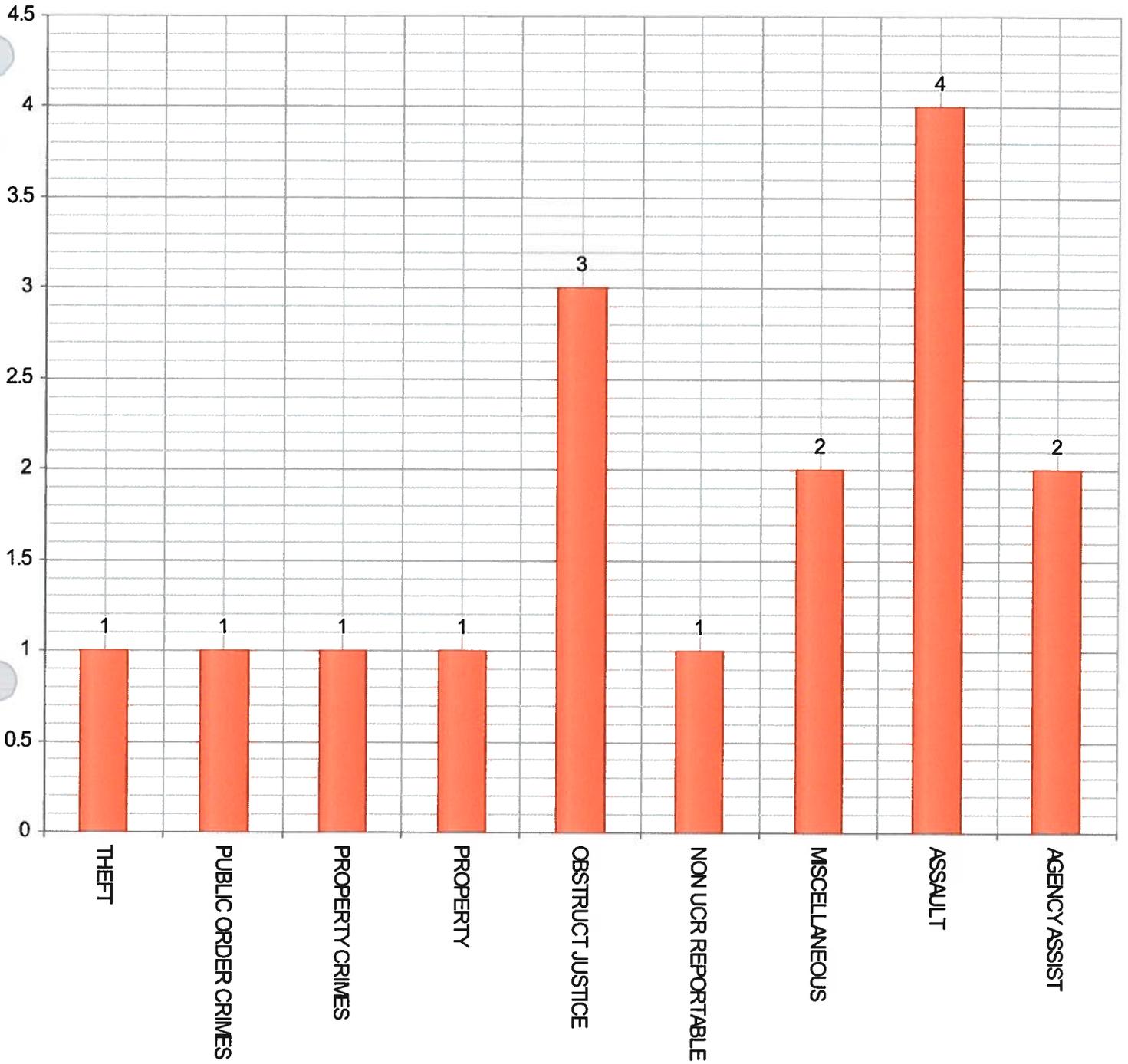
CIT Training, Taser Certification Program

Community Engagement

Event:

Meet & Greet the Police Department, Town Clean-Up Day, National Night Out

MONTHLY CRIME STATS



Officer Hiring Process

The Town of Empire's New Officer hiring process will include all the steps listed below. All candidates will be notified following the completion of each phase of the process whether they have been selected to continue on in the process.

New Officer: Candidates must complete an approved Colorado P.O.S.T. Academy, which includes the following process.

- Fingerprinted for criminal history that checks individuals through state and federal levels for any criminal convictions.
- Interview with the academy director to ensure you are qualified to enter the academy.
- 6-month academy that includes skills like firearms training, Driving training, Defensive Tactics/ Arrest control, Traffic Crash investigation, Report Writing, Ethics, Ani Bias, and many other trainings.

Lateral Entry (Certified Police Officers) candidates must participate in all Town of Empire screening and examination processes for Police Officer. Candidates to be considered for this level must:

- Possess a Colorado P.O.S.T. Certification or for out-of-state applicants, must have the ability to obtain certification successfully.
- High school diploma or equivalent (GED)
- A minimum of 60 hours from an accredited college or university is preferred.
- Must be at least 21 years of age.
- Must be able to attain and maintain a variety of law enforcement certifications.
- Possess a valid Colorado Driver's License and satisfactory driving record.

Candidates who meet the minimum eligibility requirements will be invited to participate in testing and will be advised on the testing date/time/location.

All documents submitted with an application are, after receipt, considered the property of the Town of Empire and will not be returned. Candidates who test with the Town of Empire must wait a minimum of 12 months before becoming eligible to test for a subsequent process.

Background Investigation: As part of the background investigation, participating candidates will be sent a Personal History and Release (PHR) of Information Agreement from the Town of Empire for completion and return. The PHR will cover information to include, but not limited to:

- Criminal and driving history.
- Drug and alcohol use.
- Personal references residential history.
- Education and training credentials.
- Undetected criminal activity.
- Employment history.
- Financial history.
- Military service.

All candidates selected to take part in the recruitment and hiring process will be required to sign and submit a Release of Information Agreement to the Town of Empire Police Department. The Empire Police Department will conduct the officer candidate background investigations.

The background investigation will be conducted by the Town of Empire Police Department or a vendor designee and will include, but not be limited to, contact with the applicant's former employers, associates, neighbors, and other pertinent sources. In addition, the candidate's application, integrity responses, military history, school records, police records, driving record, and personal history and background statement responses will be researched.

Regardless of whether a candidate is a current officer or one who left policing in good standing, they must provide a completed unconditional release of prior personnel records, including disclosure of the existence and content of any sealed files/records.

Important Notice: Any misrepresentation, falsification, omission, or deception regarding any information provided by a candidate will be grounds for immediate disqualification from the examination process. All information provided shall be confirmed and investigated during the polygraph interview and background investigation.

Oral Board: The oral board interview is conducted in front of a panel of assessors selected by the Police Department. The interview is behaviorally based and covers a variety of issues. It provides candidates with an opportunity to share their personal experiences and express personal views on current issues. The oral board interview provides the interview panel with an opportunity to learn more about the candidates and see how they perform and respond under pressure.

Upon completion and evaluation of the potential candidate's background information, it will be determined if they will continue in the hiring process.

Human Resources will extend a conditional offer of employment to candidates that have completed all phases of the interview process. The conditional offer will identify the last phase to include a physical and psychological screening.

Physical and Psychological Exam: This final phase of the selection process is a medical fitness for duty test based on the physical requirements identified in the job description and a substance screening.

The psychological screening portion involves a structured interview including responses to a review of psychological and psychiatric treatment, alcohol and drug use, trauma, suicidal ideation, and medical health. An opinion regarding emotional stability is rendered in the report for the psychological screening.

The information obtained during the final testing process is considered privileged and confidential and will not be provided to candidates.

Interview with the Chief of Police: The Chief of Police will schedule a personal interview with the top candidates to determine their continuation in the hiring process. The Chief will be provided with each candidate's file including all pertinent information, to include the candidate employment application, written test scores, oral board interview recommendations, background, and psychology exam results.

Official Offer of Employment : After all tests results are received by the Empire Police Department, final selections will be made and an official offer will be extended to the candidate by the Chief of Police or his designee.

- With changes in recent legislation regarding Police Records, the Empire Police Department is committed to evaluating all policies and procedures with the intent of filling in any gaps for collecting information needed in the hiring process.

Enhance Law Enforcement Integrity

Senate Bill 217 (SB217) Requirements

Beginning July 1, 2023, the act requires the division of criminal justice in the Department of Public Safety (division) to create an annual report of the information that is reported to the division, aggregated and broken down by state or local agency that employs peace officers, along with the underlying data. Each local agency and the Colorado State Patrol that employs peace officers shall report to the division:

- All use of force by its peace officers that results in death or serious bodily injury;
- All instances when a peace officer resigned while under investigation for violating department policy;
- All data relating to contacts conducted by its peace officers; and
- All data related to the use of an unannounced entry by a peace officer.

If any peace officer is convicted of or pleads guilty or nolo contendere to a crime involving the unlawful use or threatened use of physical force or the failure to intervene in another officer's use of unlawful force or is found civilly liable in either case, the P.O.S.T. board shall permanently revoke the peace officer's certification. The P.O.S.T. board shall not, under any circumstances, reinstate the peace officer's certification or grant new certification to the peace officer unless exonerated by a court.

- The act states that in response to a protest or demonstration, a law enforcement agency and any person acting on behalf of the law enforcement agency shall not:
 - Discharge kinetic impact projectiles and all other non- or less-lethal projectiles in a manner that targets the head, pelvis, or back;
 - Discharge kinetic impact projectiles indiscriminately into a crowd; or
 - Use chemical agents or irritants, including pepper spray and tear gas, prior to issuing an order to disperse in a sufficient manner to ensure the order is heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order.

Beginning January 1, 2022, the act requires the P.O.S.T. board to create and maintain a database containing information related to a peace officer's:

- Untruthfulness;
- Repeated failure to follow P.O.S.T. board training requirements;
- Decertification; and
- Termination for cause.

The act makes it unlawful for any governmental authority to engage in a pattern or practice of conduct by peace officers that deprives persons of rights, privileges, or immunities secured or protected by the constitution or laws of the United States or the state of Colorado. Whenever the attorney general has reasonable cause to believe that a violation of this provision has occurred, the attorney general may in a civil action obtain any and all appropriate relief to eliminate the pattern or practice.

The act allows the P.O.S.T. board to revoke peace officer certification for a peace officer who has failed to complete required peace officer training after giving the officer 30 days to satisfactorily complete the training.

Potential Disqualification Factors

The following criteria may disqualify an applicant from selection at any point in the process. Candidates will be evaluated on a case-by-case basis. Backgrounds of each applicant will be evaluated on the basis of overall character and integrity.

Character

- Falsified a written report
- Given perjured sworn testimony at any time as an adult
- Offered, paid, solicited, or accepted a bribe at any time
- Current or former member or supporter of any group that seeks to alter the form of government of the United States of America by unconstitutional means

Certification/Eligibility

- Falsified documentation of a college degree, transcript, or specialized training
- Falsified documentation of law enforcement certification
- Knowingly falsified requested information during the selection process
- Cheated on any portion of the selection process

Employment History (Includes school and military)

- Any dishonorable discharge from military service
- Deliberate fabrication of any information related to a job
- Failure to report a discharge, forced termination, or resignation due to performance issues since age 18
- Sick Leave Abuse as noted in a performance assessment

Previous Law Enforcement

- Solicited or accepted a bribe at any time as a law enforcement officer
- Given false statements or falsified a report at any time as a law enforcement officer
- Use of any illegal drug, on or off duty, while employed as a law enforcement officer
- Unlawful use of physical force within the past five years while serving as a law enforcement officer

Integrity

- Theft of goods and/or money (added together) of more than \$100 from an employer within the past 3 years
- Any incidents of misdemeanor shoplifting or accessory to shoplifting, whether detected or not, within the past 3 years

Financial Responsibility

- Any checks intentionally written on a closed account
- Two or more separate incidents within the past five years of being convicted of or having wages garnished for failure to pay child support

Drug/Alcohol Use

- Use of marijuana within the last 36 months
- Use of any other illegal drug within the last 60 months
- Any production, cultivation, transportation or sale of illegal drugs
- Any instance of fraudulently obtaining a prescription medication or controlled substance or forging a prescription order
- Refusal to agree to submit to applicants' substance screening
- Evidence of excessive alcohol use

Driving Record

- Any DUI/DUID or DWAI convictions within the past three years
- Any citation for reckless driving or speed contest/drag racing in the last three years (determined by cited offense, not by plea disposition)
- Any driver's license revocation, denial, suspension, or cancellation within the last three years
- Any driver's license revocation as a habitual traffic offender
- Any hit and run accidents within the last three years
- Failure to show proof of liability insurance (Colorado drivers)
- Conviction of three or more moving violations in the past three years

Criminal Behavior

- Any felony conviction
- Conviction of any domestic violence-related offense

- Any misdemeanor conviction in the past three years
- Any felony adjudication as a juvenile
- Self-admitted commission of any felony as an adult
- Any sexual assault committed against an adult or child at any time
- Applicant is currently subject to any restraining order pursuant to a domestic violence proceeding, or which prohibits them from possessing a firearm
- Any pattern of criminal activity (self-admitted or otherwise)
- **Colorado POST Disqualifying Misdemeanors:**

C.R.S.	Cite
18-3-204	Assault in the third degree
18-3-402	Sexual Assault
18-3-404	Unlawful sexual contact
18-3-405.5	Sexual assault on a client by a psychotherapist
18-3-412.5	Failure to register as a sex offender
18-6-403(3)(b.5)	Sexual exploitation of a child (as it existed prior to July 1, 2006)
18-7-201	Prostitution prohibited
18-7-202	Soliciting for prostitution
18-7-203	Pandering
18-7-204	Keeping a place of prostitution
18-7-302	Indecent exposure
18-7-601	Dispensing violent films to minors
18-8-102	Obstructing government operations
18-8-103	Resisting arrest

C.R.S.	Cite
18-8-104	Obstructing a peace officer, firefighter, emergency medical services provider, rescue specialist, or volunteer
18-8-108	Compounding
18-8-109	Concealing death
18-8-111	False reporting to authorities
18-8-113	Impersonating a public servant
18-8-114	Abuse of public records
18-8-201	Aiding escape
18-8-204.2	Possession of contraband in the second degree
18-8-208	Escapes
18-8-208.1	Attempt to escape

