

Town of Empire
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Board of Trustees Regular Meeting Minutes
January 21, 2025 ~ 6:30 pm

1. Call Meeting to Order – Mayor Pro Tem Jacob Belcher called the meeting to order at 6:30 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 Jacob Belcher, Trustee Randy Horning, Trustee Denise Tennant, Trustee Jessie Reiman and Trustee Stephanie Kline. Also in attendance were Town Attorney Betsy Stewart, Town Administrator Jeannette Piel, and Deputy Town Clerk Lisa Kunze.
A quorum was present at the meeting.

3. Approval of Agenda - January 21, 2025 Regular Meeting Agenda

Trustee Horning noted the next planning commission meeting incorrectly lists 2024 in agenda item 8.g.ii. The agenda will be amended to show 2025.

MAYOR KOCH MOTIONED TO APPROVE THE AMENDED AGENDA FOR JANUARY 21, 2025, TRUSTEE HORNING SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The amended Agenda was approved.

4. Approval of Consent Agenda

- a. Minutes December 3, 2024 Work Session
- b. Minutes December 12, 2024 (Rescheduled from December 10, 2024) Regular Meeting
- c. Minutes January 7, 2025 Executive Session & Work Session

TRUSTEE HORNING MOTIONED TO APPROVE THE CONSENT AGENDA FOR JANUARY 21, 2025, TRUSTEE REIMAN SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Consent Agenda was approved.

5. Presentation by Lindsey Valdez with CCEDC

Lindsey explained the past 8 months have netted a framework, bringing in all the studies the County has done in the past, for economic development in Clear Creek County. The report is available electronically. Some of the objectives are more feasible than others, but they will be noted with an explanation of why the objective may not work. Another idea is to bring together a Regional Resilience Team to get everyone in the room talking. Some resources may make better sense in some municipalities, and all share entities like CDOT, so combining resources now may net action beyond just talking about the problems we all face.

Trustees are invited to a leadership mixer on Thursday, February 13th, and a kickoff breakfast and event on Friday, February 14th. CCEDC has hired a facilitator, and they foresee their role to bring policy makers together. The Town has already adopted a resolution of support for the Regional Resilience Team, and appointed Denise Tennant as our Town Representative for the team.

6. Ordinances for Consideration:

- a. First Reading for Ordinance 273: An Ordinance of the Board of Trustees to Amend the Junk, Abandoned Vehicle, and Parking Ordinance

This item was tabled during the budget process last year. Two copies reflect the final version, as well as a red-lined version so changes can be more easily seen.

Major changes:

- Abandoned vehicles towed after 48 hours, not 72 hours. This reflects the state standard and addresses concerns of junk vehicles in town.
- Parking changes on residential roads, town parking lots, and commercial streets are outlined in the Ordinance.
- Changes reflect the needs of residents; others support our businesses along Highway 40.
- Fees and enforcement will be set by resolution.

i. Discussion by the Board of Trustees

The Board discussed camping in town parks and lots. Some employees of local businesses have slept overnight in their vehicles at Theobald or Minton Park, and there has been a fair amount of this occurring, in addition to some unhoused people who attempt to camp until they are asked to leave.

TRUSTEE TENNANT MOTIONED TO APPROVE THE FIRST READING OF ORDINANCE 273: AN ORDINANCE OF THE BOARD OF TRUSTEES TO AMEND THE JUNK, ABANDONED VEHICLE, AND PARKING ORDINANCE, TRUSTEE HORNING SECONDED THE MOTION.

ii. Public Discussion

Rob Collins: Happy new year everyone. If a vehicle is inoperable in front of the register's owner's property, can it be moved. What is the official road way? On his map, vehicles are on the street. He is glad the town is addressing this problem.

Town Administrator Piel responded that if it can't run, it's a junk vehicle. You can have them on your private property; it's a different conversation than if it's on the roadway. Communication with the vehicle and homeowner is important for accountability. The Right of Ways are difficult to decide. This is why the town has been surveyed, and this will be important this summer to address the places where the town's roads have been encroached.

ii. Vote to Approve First Reading of Ordinance

CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The first reading of Ordinance 273 is approved. A Second Reading and Public Hearing will be held at the next Board of Trustees meeting on February 18, 2025.

7. Resolutions for Consideration:

a. Resolution 25-01: A Resolutions of the Board of Trustees to Set the Public Notice Designation

This must be designed at the first meeting of every year. We will use our website, EmpireColorado.us, as our official public notice designation, and the Clear Creek Courant as our official newspaper.

i. Discussion by Board of Trustees

MAYOR KOCH MOVED TO APPROVE RESOLUTION 25-01: A RESOLUTION OF THE BOARD OF TRUSTEES TO SET THE PUBLIC NOTICE DESIGNATION, TRUSTEE REIMAN SECONDED THE MOTION.

ii. Public Discussion

No public discussion.

iii. Vote to Approve Resolution

CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

Resolution 25-01 was adopted and is effective immediately.

b. Resolution 25-02: A Resolution of the Board of Trustees To Set Water And Wastewater Utility Fees And Other Service-Related Fees As Permitted By Ordinance 226

Town Administrator Piel explained that we want to have a public hearing on this resolution, so no vote will be taken this evening. Staff will publicize this widely, invite the community to the public hearing at the February Board Meeting, and fees are now planned to be implemented in March. See attached document for fees.

i. Discussion by Board of Trustees

The Board discussion included oversight of tapping into the town's water mains; the work is done by contractors but is also inspected by town staff. The charges cover meters and staff hours for administration and inspection. Water and Sewer enterprises are not designed to create a profit, but increases must be covered.

The fee amount for backflow devices was incorrectly listed and should be \$100. This will amend the resolution as presented this evening and will be corrected by the vote in the February meeting. Another amendment is having the town absorb some fees after more staff research on how much the fees may actually be in total.

ii. Public Discussion

No public discussion.

iii. Vote to Approve the Resolution

We will hold a public hearing for this rate change at the next regular meeting in February, and at that time we will consider this resolution for adoption.

8. Reports:

a. Financial Reports

Town Administrator Piel reported the following:

Budget: The budget is sent to the County and to DOLA with the end of year projections that were listed at the time of adoption. The budget submission is the workbook and the resolutions. However, we still have budget processing to complete. We will get the actual end of year numbers and update the workbook at the end of January/beginning of February. The Budget Book includes all the reports and information that we used to create and explain the budget to you. It is a valuable tool that we use moving into the audit process as well. The 2025 budget book and collecting 2024 audit materials is in process. We expect to have the budget book for you in February.

Audit: Our auditor is Kyle Logan from Logan and Associates. We are continuing to upload documents to the dropbox for our past audits. We anticipate that we will have an in-person meeting with the Auditor in early February, it's not scheduled yet but we have all the information submitted or ready to submit, so scheduling a meeting will be the next step. Most of the documents are electronic, but there are a few items that can't be scanned, such as our reconciled bank statements and paid invoices. So the auditor typically will send a list of items he wants to pick up in person and that's when we will go through all of our questions as well. I hope to have the appointment before the February meeting so I can give you a more detailed update.

Community Project Funding Grant: We received grant reimbursements at the end of the year, so as of the end of 2024 we have spent 3,014,087.40 of the 4 mill grant. The total grant funds spent on our water system over the past 5 years is 6,597,549.00.

This is a Federal Grant through the Disaster Relief Grant Reporting System. They switched to a new system this summer, and I have already had two different grant officers. They have been short staffed and it has been a challenge to get items approved in a timely manner. I just got a message that they are making another change and I may have another new grant officer. I'm sharing this information because of the

Executive Order for a Freeze on the Hiring of Federal Civilian Employees. If they are still short staffed, it could impact our ability to get updates and changes approved for our grant. I just want you to be aware that we could be impacted.

Finally, a thank you for the generous donation of \$1,000 to Loaves and Fishes was shared with the Board.

b. Police Department

i. Monthly report and stats from Chief Lorenz

Chief Lorenz began by highlighting recent news listing Colorado towns with poor water quality and lead pipes, of which the Town of Empire was not on! He complimented the efforts of the town to address our water system needs. See attached statistics officer Lorenz presented.

Town Administrator Piel shared some information from JeffComm, including problems with their phone systems, lack of dispatchers and their planned move to a larger facility.

Administrative Clerk Buda read a letter from Judge Toussant sharing he is retiring and naming Judge Tom Elliot as the replacement for the Town of Empire.

Town Administrator Piel reported the town is in the process of scheduling a meeting to start discussing the IGA with the Sheriff Department for the town to pay for coverage when we don't have an officer on duty. Staff is also starting talks with Charlie's Place, who will need to start charging for animal holding. Over the past year, we have had one animal taken there to hold, and perhaps 10-15 other incidents. The Board started discussing pros and cons for dog licenses recently and this new information may impact this discussion in the future. She recommended that we table that conversation until after the IGA with Charlie's Place is negotiated since that will include a fee, because that will influence whether or not we decide to charge for licenses.

c. CCFA

Trustee Horning gave a report on the CCFA Board meeting. He explained, the CCFA found their fire trucks are starting to wear down, so they are looking at new rigs. The CCFA has purchased additional machinery for the new Idaho Springs Argo bike trail due to increased calls for help. As for funding, the CCFA has come up with a timeline stating they are going to be out of money by 2027 with no revenue change. The CCFA has many ideas on how these numbers can be changed. The hope is to find a way to put it on the ballot without fighting other entities.

The Board discussed the mountain biking trail further and problems that have been occurring with using public lands for the trail, which have outpaced projections without full infrastructure as planned. This is burdening Clear Creek EMS and Fire departments, increasing the local tax burden while also increasing revenue to businesses.

Town Administrator Piel explained the meeting with all the municipalities has been renamed the Public Safety Financing Group. We will continue to discuss funding options for CCFA, EMS and consider all the options we have individually and collectively.

d. Broadband Report from Randy Horning

Beth Luther and her group would like to find locals to become educated to install broadband, and also learn maintenance as a career. A state or federal grant helping CCC with this effort.

e. Upcoming Events

i. Discuss Double Bypass

Trustee Belcher has talked to restaurants and others about the traffic to go through town at 6 am, which may require a shift in police presence. Local businesses say the grab and go food for under \$10 are what these racers would most likely be interested in on their way into town. Some may stop after the race with their families also. He suggested we prepare for this quick descent of a large number of people for a short amount of time, and that supporting the event could help promote the Town of Empire.

Trustees suggested organizing the town to line up the road, ring cowbells, choose a theme every year, to create community during this time. Caprice is hoping for a decision soon, so staff will promote this as well for the February 18th Board of Trustees meeting to gauge public input before making a final decision.

ii. Touch Base with Denise on Burro Races

No updates.

f. Save the Dates for 2025 Town Special Events

- *April 19 - Easter Egg Hunt*
- *May 24 - Pack Burro Races - Memorial Day Weekend*
- *June 7 - Town Clean-Up Day 8am-12pm*
- *June - Adopt-a Highway (3rd Saturday in Jun, Jul, Aug, Sep)*
- *July 12 - Double Bypass*
- *August 12 - National Night Out (2nd Tuesday in August)*
- *September 6 - Devil on the Divide*
- *October 25 - Halloween - Chili Cook Off*
- *November 29 - Small Business Saturday*
- *December 13 - Christmas Celebration & Potluck*

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, January 29, 2025, at 6:30 pm.
- iii. The next Training/ Work Session for the Planning Commission will be held on Wednesday, March 12, 2025 at 6:30 pm.

h. Answering Questions from the Previous Meeting

- i. There was no public comment at the previous meeting.

9. Board of Trustees Goal for the 2024 - 2026 Term: Ongoing

The Town of Empire will increase revenue within this Board of Trustee term by supporting the economic needs of current and future businesses by capitalizing on our unique location and the traffic it provides, without compromising the non-monetizable assets that gives Empire its' unique charm.

10. Public Comment: Public comment is limited to 3 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk.
No public comment.

11. Moment of Appreciation – At each of our Board and Planning Commission Regular Meetings, we want all of you to tell us what you appreciate about Empire. It can be anything. What's the first thing that comes to your mind, or what's the first thing you show people when they visit, or what do you miss the most when you are away. Short and sweet – please keep it positive!

- Love when temps are negative, the snow changes...it looks like someone threw glitter on it!
- Didn't have to use a flashlight while commuting into work this morning. Gained

- 40 Minutes of daylight
- *Several attendees became disruptive on Zoom, and the Zoom link had to be shut down. We continued the in-person meeting.*

12. New Business from Board of Trustee Members

No new business

13. Board of Trustees Upcoming Meetings and Topics

- Upcoming Topics from Administrative Overview
- The Next Board of Trustees Work Session/Training is Tuesday, February 4, 2025 at 6:30 pm. In person with remote access.
- A Training for Volunteer Chairpersons of the Board and PC has been scheduled for Wednesday, February 12, 2025.
- The Next Board of Trustees Regular Meeting is Tuesday, February 18, 2025, at 6:30 pm. In person with remote access.
- A Joint Work Session with the Board and PC to discuss our Vision for Housing and Land Use has been scheduled for Tuesday, March 4, 2025 at 6:30 pm. Amy Saxton and David Danielson from Clear Creek County have been invited to discuss the new building permit process.

14. Adjourn Meeting

TRUSTEE HORNING MOTIONED TO ADJOURN, TRUSTEE REIMAN SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 9:08 PM.

(Mayor Pro-Tem Jacob Belcher)

(Deputy Town Clerk Lisa Kunze)