

TOWN OF NEW CASTLE RESOLUTION TC2024-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE APPOINTING A MUNICIPAL JUDGE AND AN ASSISTANT MUNICIPAL JUDGE PURSUANT TO SECTION 8.3 OF THE TOWN CHARTER AND SECTION 2.08.040 OF THE NEW CASTLE MUNICIPAL CODE.

WHEREAS, § 8.3 of the Town Charter and § 2.08.040(A) of the New Castle Municipal Code (the "Code") states that the Town's municipal court shall be presided over by a municipal judge appointed for a term of two years by resolution of the Town Council; and

WHEREAS, Code section 2.08.040(A) grants Town Council the discretion to appoint one or more assistant municipal judges for a term not to exceed two years; and

WHEREAS, Charter § 8.3 and Code § 2.08.040 grants Town Council the discretion to appoint additional substitute judges as circumstances may require in cases of temporary absence, sickness, disqualification, or other inability of the presiding or assistant municipal judges to act; and

WHEREAS, the terms for the current municipal judge, assistant municipal judges, and substitute municipal judges expired April 16, 2024; and

WHEREAS, the Town Council desires to appoint a presiding municipal judge and assistant municipal judge to serve for a term of two years commencing on April 16, 2024 pursuant to the terms and conditions set forth in the Charter and the Code.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

1. Recitals. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. Appointment of Presiding Municipal Judge. The Town Council hereby appoints Timothy Graves to serve as presiding municipal judge for the New Castle Municipal Court for a term of two years commencing on April 16, 2024.
3. Appointment of Assistant Municipal Judge. The Town Council hereby appoints Kip O'Connor to serve as assistant municipal judge for the New Castle Municipal Court for a term of two years commencing on April 16, 2024.
4. Substitute Judges. The Town Council reserves the right to appoint substitute judges on an ad-hoc basis as circumstances may require in cases of temporary absence, sickness, disqualification, or other inability of the presiding or assistant municipal judges to act.
5. Salary/Review/Limitations. The Town Council approves a salary of \$1000.00 per month as compensation for the position of presiding, assistant, or substitute municipal judge. The Town Council has budgeted \$46,561.00 for municipal court operations for fiscal year 2024. The Town Council will review the salary and budget of the municipal

court on a quarterly basis to see if any adjustments are needed, provided however, that pursuant to Charter § 8.3 the salary will not be increased during the term of the appointment.


6. TABOR. No provision of this Resolution shall be construed or interpreted: i) to directly or indirectly obligate the Town to make any payment in any year in excess of amounts appropriated for such year; ii) as creating a debt or multiple fiscal year direct or indirect debt or other financial obligation whatsoever within the meaning of Article X, Section 6 or Article X, Section 20 of the Colorado Constitution or any other constitutional or statutory limitation or provision; or iii) as a donation or grant by the Town to or in aid of any person, company or corporation within the meaning of Article XI, Section 2 of the Colorado Constitution.

7. Effective Date. This resolution shall be effective immediately upon passage.

Introduced, Read and Adopted at a regular meeting of the Town Council of the Town of New Castle, Colorado, on April 16, 2024.

TOWN OF NEW CASTLE,
COLORADO

By:


Grady Hazelton, Mayor Pro Tem

ATTEST:


Mindy Andis, Town Clerk