

**AGENDA
BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
MONDAY, MARCH 21, 2022
PATTERSON HALL – 1000 MAIN
REGULAR MEETING**

5:30 p.m.

Join by Zoom

Meeting ID: 848 2881 2069

Passcode: 853091

By Phone: 346-248-7799

1. Call to Order
 2. Pledge of Allegiance
 3. Roll Call
 4. Recognition of Visitors
 5. **Consent Agenda**

Note: All items listed under the Consent Agenda are routine and approved with one motion. There will be no separate discussion of these items unless a Board Member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered separately, at the discretion of the Board of Trustees.

 - a. Approval of minutes
 - b. Treasurer's Report
 - c. Approval of Bills
 6. Old Business
 - a. Consideration of a request to approve a lease with Bootleggers Mercantile for a portion of the alley on the east side of the building.
 7. New Business
 - a. Consideration of reallocating the approved expenditure of awarded funds for Altitude Fitness.
 - b. Discuss the procedure for grant support letters.
 - c. Consideration of a request to approve a credit card and determine the limit for the Town Manager.
 - d. Consideration of allowing the non-profits in the permitted zone apply for the Façade Grant.
 - e. Discuss Title 4, Chapter 8 Seasonal Outdoor Seating for Food Service Establishments in the Core Business District.
 - f. Consideration of a request to approve Ord. No. 1-2022 amending Title 9, Chapter 1, Westcliffe Infraction Code.
 - g. Planning Commission appointments update.
 8. Additions to Agenda
 9. Staff & Committee Reports
 10. Public Comment – The purpose is to request placing items on future agendas and scheduling informational presentations. There is a 3-minute limit for presentations.
- Adjourn

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CALL TO ORDER

Mayor Wenke called the meeting to order at 5:30.

ROLL CALL

The following members were present: Mayor Wenke, Ms. Cole – via Zoom, Mr. Frickell, Ms. Snow, Mr. Wilhelm, and Mr. Mowry.

ABSENT: Mr. Nordyke

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance

OTHERS PRESENT

Tracy Ballard, Clay Buchner – via Zoom; Lloyd Smith, Brandon and Stacey Schoch, Ed Stefanich, Gabriel Shank, Wanda Jennings, and Kathy Reis

Financial:

- a. Treasurer's Report: Clerk Reis submitted written reports. General Fund has collected 18.4 percent of budgeted revenues and spent 20.6 percent of budgeted expenditures. Capital Fund has collected 16.8 percent of budgeted revenues and spent 1.9 percent of budgeted expenditures. Sales tax for December 2021 was up by 2.2 percent, up 13.99 percent from the previous year-to-date. The above numbers are based on a cash basis.

Account balances:		Jan. Expenditures Paid in Feb.
General Fund Checking:	\$ 729,273.90	\$ 54,522.74
Csafe-GF Core 11:	\$ 133,484.38	
Csafe-3% Tabor Reserve:	\$ 35,012.96	
Csafe-General Fund Reserve-14	\$ 161,765.68	
Municipal Court Checking:	\$ 2,482.70	\$ 0.00
Tennis Court Checking:	\$ 25,035.34	\$ 0.00
Conservation Trust Fund Checking:	\$ 38,023.14	\$ 0.00
Capital Fund Checking:	\$ 437,408.07	\$ 5,887.74
Csafe-CF Core 12:	\$ 220,091.36	
Total C.D.s plus interest:	\$ 203,665.08	

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes – January 17th, 2022
b. Treasurer's Report
c. Approval of Bills

Mr. Frickell moved, and **Mr. Mowry** seconded to the consent agenda. Motion carried.

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OLD BUSINESS

None

NEW BUSINESS

a. Presentation Brandon Schoch candidate for sheriff.

Brandon Schoch introduced himself to the board members. The Board of Trustees thanked him for attending the meeting.

b. Presentation Lloyd Rich Smith candidate for sheriff.

Lloyd Smith introduced himself to the board members. The Board of Trustees thanked him for attending the meeting.

c. Consideration of a request to approve a lease with Bootleggers Mercantile for a portion of the alley on the east side of the building.

The Planning Commission had recommended approval to the Board of Trustees in August of 2020. The Board of Trustees discussed it in September of 2020. The board agreed to the concept of leasing it at that time; the Stephanic's were not prepared to do the expansion at that time. There was not a decision at that time. They are requesting to move forward with the lease for their patio expansion and discuss determining the lease amount.

One concern was the sewer line located in the easement. Ed Stefanich explained the structure would be moveable and not attached to the building, making it easy to move.

Building plans would need to be submitted, including a letter from Round Mountain regarding the sewer line running from the Town restroom and the alley.

Another concern was the Town being a landlord. If it were to be sold, should it be put out to the public to bid on?

After further discussion, the item will be placed on the March agenda allowing the Town attorney time to provide information regarding leasing or selling the property.

d. Consideration of a request to approve Resolution No. 1-2022 canceling the April 5, 2022 election.

There were only enough petitions to fill the seats open; we did not receive any affidavits for a write-in candidate, which allows the cancelation of the election.

ACTION: Ms. Snow moved, and Mr. Frickell seconded to approve Resolution No. 1-2022, canceling the April 5, 2022 election. Motion carried.

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NEW BUSINESS CONTINUED

- e. Discuss vacation and sick policies regarding the Healthy Families and Workplaces Act (HFWA) and consideration of approving Resolution No. 2-2022.**

Attorney Buckner explained consideration before you are No. 2-2022 Resolution of the Board of Trustees of Westcliffe amending the Town of Westcliffe Town Handbook regarding town employees' vacation and sick leave benefits. The recent passage of the Healthy Families and Workplace Act has taken the old pyridine of sick leave, and vacation being separate and has combined them into what is commonly known as paid time off. The act has verbiage required to be in paid time off sections in the Town Handbook.

He has re-written the previously existing sections 302 and 305 and asked the Board of Trustees to appeal Section 305-Sick Leave and modify the current 302 Vacation benefits to be amended as Section 302 Paid Time Off. It combines the sick leave and vacation time; he took the combination hours of the previous two sections into paid time off with the required language.

This is easier for the administration to track. It is no longer required to track sick and vacation separately. It is paid time off that is tracked and accrued. The accrual rate is the same as the previous sections used to accrue for vacation and sick combined times. Employees are not getting any more accrual time off than they used to. The maximum is still 320 hours and eliminated the carryover for the two-year lose or use time. An employee can accrue up to 320 hours; it no long accrues after that. Part-time and seasonal paid time off was added, required by the statute. It is one hour for every thirty hours worked and added the minimum and maximum required by statute. They are allowed to accrue up to 124 hours, and other language required by HFWA was added, and the emergency language that came about due to the pandemic.

The new proposed section 302 is in Exhibit A for consideration.

ACTION: Ms. Snow moved, and Mr. Wilhelm seconded to approve Resolution No. 2-2022. Motion carried.

- f. Recommendation to use the American Rescue Program funds towards the Hermit & Memorial Park Priority program and scheduling a workshop.**

The workshop was scheduled for Monday, March 7th, at 9:00 a.m.

- g. Discuss the Master Plan.**

Mayor Wenke explained that he would like to get input from all the board members on their vision of the town. We need to give direction to the Master Plan review committee on our vision for the Town.

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NEW BUSINESS CONTINUED

After further discussion, the board members agreed to read the Master Plan before the workshop scheduled for March 7th. At that time, a separate workshop may be needed before the Master Plan review committee meeting.

STAFF & COMMITTEE REPORTS

None.

Mr. Mowry moved, and **Ms. Snow** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis, CMC
Town Clerk

REVENUES RECEIVED IN FEBRUARY 2022

GENERAL FUND

Cash		
Oak Disposal Service	2022 Business License	25.00
Your Needs By Nova	2022 Business License	25.00
Molly P Custom Art	2022 Business License	25.00
Central Colorado Title & Escrow	2022 Business License	25.00
Hartbauer Auto Sales	2022 Business License	25.00
Westcliffe Petroleum	2022 Business License	25.00
Elevation Meat Market	2022 Business License	25.00
New Look Outlook Dental	2022 Business License	25.00
Artistic Edge Dance Studio	2022 Business License	25.00
P.S. Patchworks	2022 Business License	25.00
Misty Morning Studio	2022 Business License	25.00
Credit Card		
United Business Bank	2022 Business License	25.00
Andrew Miller	Bldg Permit/Ridgeline Drive/Trenching W&S	221.50
K2 Art Academy	2022 Business License	25.00
Checks		
Hair By Amber/Amber Wood	2022 Business License	25.00
Chuds, LLC	2022 Business License	25.00
719Business Ventures, LLC	2022 Business License	25.00
Brookwood Gallery	2022 Business License	25.00
Cory Flickinger	STR License	200.00
Cory Flickinger	2022 Business License	40.00
Sangres Art Guild	2022 Business License	25.00
Leslie Gerbracht/Charles Grace	Bldg. Permit/212 S. 5th/Remodel	1,780.00
Lady Unique Boutique	2022 Business License	25.00
Hershberger Roofing & Siding, LLC	Bldg. Permit/114 Rosita Ave/New Roof	275.00
Welcome to the West, LLC/Hayden Outdoors	2022 Business License	25.00
Silver West Feedstore	2022 Business License	25.00
Summit & Main Realty Group	2022 Business License	25.00
Custer County Realty	2022 Business License	25.00
Wet Mtn. RV, LLC	2022 Business License	25.00
Custer County Treasurer		19,071.02
	MHC-Current Taxes MH	\$34.81
	PPC-Property Tax	\$253.02
	Road & Bridge	\$5,394.06
	RLC-Current Tax	\$12,819.77
	Specific Ownership Tax-A	\$142.02
	Specific Ownership Tax-B	\$689.50
	Treasurers Fee	-\$262.16
Lea Lane Park	Excavation Permit #5 Lea Lane	200.00
Take a Look Active, LLC	2022 Business License	25.00
Westcliffe Adventures, (Westcliffe Guns)	2022 Business License - New	40.00
Black Hills	Franchise Fee	3,182.62
Wade Gatley	2022 Business License	25.00

Mountain Mike's Hunger Buster	2022 Business License	25.00
Patient Centered Practice	2022 Business License	25.00
Southern Sull & Arrow, LLC (Candy's Coffee)	2022 Business License	25.00
Wet Mountain Storage, LLC	2022 Business License	25.00
Looks N Books	2022 Business License	25.00
Kernal Custer Popcorn Johnson)	2022 Business License	25.00
Cheryl Swartz Jewelery	2022 Business License	25.00
The Rock Parts Company (Nap)	2022 Business License	25.00
Wild Flour Donuts, CO (Gin Huffman)	2022 Business License-New	40.00
Arterburn Fine Art & Graphics	2022 Business License	25.00
Westcliffe Meats, LLC	Park Damage and Usage Fee	125.00
United Business Bank	Interest	105.47
CSafe-GF Core-11	Interest	11.38
CSafe-3% Labor Reserve	Interest	3.16
CSafe-GF Reserve-14	Interest	13.78
State of Colorado	Cigarette Tax	400.13
State of Colorado	2% Sales Tax	67,739.75
State of Colorado	Highway Users Tax	2,324.52
GENERAL FUND CHECKING REVENUE RECEIVED IN FEBRUARY 2022		\$96,648.33

TENNIS COURT PROJECT CHECKING

		0.00
TENNIS COURT PROJECT CHECKING REVENUE RECEIVED IN FEBRUARY 2022		\$0.00

		0.00
MUNICIPAL COURT CHECKING REVENUE RECEIVED IN FEBRUARY 2022		\$0.00

REVENUES RECEIVED IN FEBRUARY 2022

CONSERVATION TRUST FUND

United Business Bank	Interest	5.83
CONSERVATION TRUST FUND REVENUE RECEIVED IN FEBRUARY 2022		\$5.83

CAPITAL FUND

United Business Bank	Interest Capital Fund Checking	85.94
Kirkpatrick Bank	Interest Certificates of Deposit	153.89
CSafe-CF Core 12	Interest	18.68
State of Colorado (Town of Westcliffe)	1 % Sales Tax	33,869.88
Verizon Wireless	Lease Payment	1,000.00
CAPITAL FUND CHECKING REVENUE RECEIVED IN FEBRUARY 2022		\$35,128.39

BALANCE IN ALL FUND ACCOUNTS

GENERAL FUND CHECKING	\$629,089.26
CSafe-GF Core-11	\$161,779.46
CSafe-3% Tabor Reserve	\$133,495.76
CSafe-GF Reserve-14	\$35,016.12
TENNIS COURT PROJECT CHECKING	\$25,035.34
MUNICIPAL COURT CHECKING	\$2,482.70
TOTAL GENERAL FUND ACCOUNTS	\$986,898.64

CONSERVATION TRUST FUND CHECKING	\$38,028.97
TOTAL CONSERVATION TRUST FUND ACCOUNTS	\$38,028.97

CAPITAL FUND CHECKING	\$602,571.14
CSafe-CF Core 12	\$220,110.04
CERTIFICATES OF DEPOSIT PLUS INTEREST	\$203,819.07
TOTAL ALL CAPITAL FUND ACCOUNTS	\$1,026,500.25

CASH BALANCE OF ALL FUND ACCOUNTS **\$2,051,427.86**

NOTE: 1% Sales tax of \$33,869.88 was transferred to the Capital Fund from the General Fund.

NOTE: 1% Sales tax of \$2.24 was transferred to the Capital Fund from the General Fund.

NOTE: Transferred \$145,000.00 to the Capital Fund as per the 2021 Budget.

NOTE: Transferred \$12,500 from the General Fund to the Capital Fund via phone for the DOLA Admin Grant.

March 2022 Bills

GENERAL FUND

Black Hills Energy	Lights/Electric	1,748.98
Bobcat Trucking, LLC	Streets/Snow Removal	715.00
Buchner, Clayton, Attorney at Law	Attorney Fees	940.50
Card Services	Vehicle Maint./Off site backup/Misc.	1,584.89
CenturyLink	Phone/Elevator	47.05
Custer County Rd. & Bridge	Street Maint./Fuel	1,111.21
Evangeline Specialties	Street Maint./Signs	790.51
4Rivers Equipment	Vehicle Maint./snow plow blades	300.46
Hilltop Broadband	Town Hall & Shop/Internet	255.45
Home Depot	Town Hall Maint./ Rope	18.77
Humane Society of Fremont County	Annual Impound contract	302.67
Lowe's Pay and Save, Inc.	Supplies	21.96
Norup Gas	Propane	1,588.43
Round Mtn. Water & Sanitation District	Water & Sewer	708.50
Seifert Enterprises, LLC	Streets/Snow Removal	6,950.00
The Rock Auto Parts	Vehicle Maint./Tools	59.67
Valley Ace Hardware	Supplies	89.29
Valley Park Recreation & Youth Center	2022 Donation	1,000.00
Wet Mtn. Custom Electric	Parks/Electric for ADA doors/Jess Price Park	1,735.00
Wet Mtn. Valley Community Service, Inc.	2022 Donation	184.28
Xerox Corporation	Meter Read/Lease Payment	150.08

Payroll Expenses

CEBT	Employer/Health Ins.	131.80
CEBT	Employee/Health Ins.	1,264.97
EFTPS	February Payroll Taxes	4,351.46
GWRS	Employee Share Retirement Fund (ACH)	355.05
GWRS	Employer Share Retirement Fund (ACH)	205.05

BILLS TO DATE	\$26,611.03
FEBRUARY 2022 PAYROLL	\$15,735.20
TOTAL GENERAL FUND EXPENDITURES FOR FEBRUARY PAID IN MARCH 2022	\$42,346.23

CAPITAL FUND

Ayers Associates, Inc.	TAP-Progress Payment/Design	\$19,262.50
Black Hills Energy	Streets/1/2 Down-Retrofit 22 Cobra Head lights	\$4,558.75
Deer Credit, Inc.	Lease Payment	930.74
TOTAL CAPITAL FUND EXPENDITURES FOR FEBRUARY PAID IN MARCH 2022	\$24,751.99	

Town of Westcliffe
General Fund Profit & Loss Budget Performance

January through February 2022

	Jan - Feb 22	Budget	Jan - Feb 22	YTD Budget	Annual Budget
Income					
7000 · General Property Taxes	13,107.60	66,391.00	13,107.60	66,391.00	66,391.00
7050 · Specific Ownership Taxes	831.52	8,900.00	831.52	8,900.00	8,900.00
7100 · Town Sales Taxes	129,679.08	790,707.88	129,679.08	790,707.88	790,707.88
7101 · Town Sales Tax License	4,035.00	3,190.00	4,035.00	3,190.00	3,190.00
7106 · Penalties & Int-Delinquent Tax	0.00	300.00	0.00	300.00	300.00
7115 · Franchise Fee	3,182.62	26,000.00	3,182.62	26,000.00	26,000.00
7120 · Special Assessments	341.90	1,683.00	341.90	1,683.00	1,683.00
7125 · Building & Zoning Permits	35,000.50	25,000.00	35,000.50	25,000.00	25,000.00
7126 · Fence & Sign Permits	100.00	2,400.00	100.00	2,400.00	2,400.00
7127 · Special Use By Review Permits	0.00	1,500.00	0.00	1,500.00	1,500.00
7130 · Traffic Fines & Ordinances	1,000.00	150.00	1,000.00	150.00	150.00
7135 · Court Costs	0.00	25.00	0.00	25.00	25.00
7140 · Liquor Licenses/Special Events	53.75	1,500.00	53.75	1,500.00	1,500.00
7150 · Cigarette Tax	722.31	1,800.00	722.31	1,800.00	1,800.00
7160 · Interest Income	280.95	1,000.00	280.95	1,000.00	1,000.00
7165 · Miscellaneous Income	0.00	600.00	0.00	600.00	600.00
7200 · Highway Users Tax	4,566.30	29,199.00	4,566.30	29,199.00	29,199.00
7205 · Road & Bridge Funds	5,394.06	30,955.21	5,394.06	30,955.21	30,955.21
7215 · American Rescue Plan Funds	0.00	78,923.82	0.00	78,923.82	78,923.82
7300 · Tennis Court Donation Fund	0.00	50.00	0.00	50.00	50.00
7305 · Events Center-Rental Fees	0.00	2,150.00	0.00	2,150.00	2,150.00
7310 · Bluff Site Maint. Fee	0.00	3,400.00	0.00	3,400.00	3,400.00
7315 · Park Usage Fee	325.00	1,200.00	325.00	1,200.00	1,200.00
7840 · State Grant	0.00	300.00	0.00	300.00	300.00
7845 · Federal Grant	0.00	115.00	0.00	115.00	115.00
Total Income	198,620.59	1,077,439.91	198,620.59	1,077,439.91	1,077,439.91
Gross Profit	198,620.59	1,077,439.91	198,620.59	1,077,439.91	1,077,439.91
Expense					
8000 · Trustees	203.29	5,000.00	203.29	5,000.00	5,000.00
8005 · Ordinances & Procedures	54.56	4,000.00	54.56	4,000.00	4,000.00
8010 · Colo. Muni League Dues	0.00	855.00	0.00	855.00	855.00
8015 · Elections	120.00	2,300.00	120.00	2,300.00	2,300.00
8020 · General Accounting	1,082.98	1,200.00	1,082.98	1,200.00	1,200.00
8025 · Auditing	0.00	5,900.00	0.00	5,900.00	5,900.00
8030 · Attorney	1,254.00	20,000.00	1,254.00	20,000.00	20,000.00
8035 · Insurance - General	8,021.64	7,985.00	8,021.64	7,985.00	7,985.00
8040 · Workman's Compensation	4,219.00	6,800.00	4,219.00	6,800.00	6,800.00
8050 · Colorado State Unemployment	78.26	765.70	78.26	765.70	765.70
8100 · Town's Share FICA	2,426.02	15,824.47	2,426.02	15,824.47	15,824.47
8110 · Town's Share MEDI	567.38	3,700.88	567.38	3,700.88	3,700.88
8115 · Town Share Health Insurance	2,568.74	33,960.80	2,568.74	33,960.80	33,960.80
8120 · Town Share Retirement Fund	419.55	6,095.02	419.55	6,095.02	6,095.02
8200 · Clerk/Treasurer Wages	7,909.72	47,458.32	7,909.72	47,458.32	47,458.32
8205 · Deputy Clerk	6,075.00	37,440.00	6,075.00	37,440.00	37,440.00
8208 · Media Relations Coordinator	567.00	14,820.00	567.00	14,820.00	14,820.00
8210 · Clerk Education	0.00	1,200.00	0.00	1,200.00	1,200.00
8215 · Office Supplies	0.00	1,500.00	0.00	1,500.00	1,500.00
8220 · Town Manager Wages	10,953.34	65,720.00	10,953.34	65,720.00	65,720.00
8225 · Manager/Bldg/Zoning Education	0.00	2,200.00	0.00	2,200.00	2,200.00
8235 · Building Inspector	0.00	3,250.00	0.00	3,250.00	3,250.00
8240 · County Treasurer's Fees	262.16	2,400.00	262.16	2,400.00	2,400.00
8300 · Town Hall Maintenance	2,408.99	6,000.00	2,408.99	6,000.00	6,000.00
8308 · Town Hall Utilities	825.80	7,100.00	825.80	7,100.00	7,100.00
8310 · Lease Equipment	120.50	1,505.00	120.50	1,505.00	1,505.00
8405 · Animal Control	0.00	1,903.00	0.00	1,903.00	1,903.00
8410 · Organizational Membership Dues	985.00	889.00	985.00	889.00	889.00
8505 · Townman Education	114.00	3,000.00	114.00	3,000.00	3,000.00
8510 · Street and Park Tech Wages	13,888.00	133,465.00	13,888.00	133,465.00	133,465.00
8515 · Street Maintenance & Fuel	5,678.39	45,000.00	5,678.39	45,000.00	45,000.00
8520 · Emergency Snow Removal	0.00	30,000.00	0.00	30,000.00	30,000.00
8525 · Street Lighting	1,072.33	12,000.00	1,072.33	12,000.00	12,000.00
8530 · Vehicle & Equip. Maintenance	118.87	20,000.00	118.87	20,000.00	20,000.00
8538 · Shop Maintenance	522.63	10,000.00	522.63	10,000.00	10,000.00

Town of Westcliffe
General Fund Profit & Loss Budget Performance
 January through February 2022

	Jan - Feb 22	Budget	Jan - Feb 22	YTD Budget	Annual Budget
8540 · Shop Utilities	-434.74	5,100.00	-434.74	5,100.00	5,100.00
8545 · Highway Barn Utiltles	465.03	4,600.00	465.03	4,600.00	4,600.00
8550 · Highway Barn Maint.	0.00	5,000.00	0.00	5,000.00	5,000.00
8600 · Park Utilities	-123.74	25,500.00	-123.74	25,500.00	25,500.00
8605 · Park Maintenance	338.24	16,000.00	338.24	16,000.00	16,000.00
8700 · Custer County Sheriff	14,125.00	57,630.00	14,125.00	57,630.00	57,630.00
8800 · Donations	-671.77	28,000.00	-671.77	28,000.00	28,000.00
8805 · Grants/Local	0.00	25,000.00	0.00	25,000.00	25,000.00
8806 · American Rescue Plan Expenses	0.00	157,847.64	0.00	157,847.64	157,847.64
8808 · Economic Development	0.00	13,000.00	0.00	13,000.00	13,000.00
8810 · Contingencies	0.00	15,000.00	0.00	15,000.00	15,000.00
8811 · Contribution to/fromCapital Fun	0.00	120,000.00	0.00	120,000.00	120,000.00
Total Expense	86,215.17	1,033,914.83	86,215.17	1,033,914.83	1,033,914.83
Net Income	112,405.42	43,525.08	112,405.42	43,525.08	43,525.08

TOWN OF WESTCLIFFE
Capital Fund Profit & Loss Budget Performance
 January through February 2022

	Jan - Feb 22	Budget	Jan - Feb 22	YTD Budget	Annual Budget
Income					
CRF7160 · Interest Income	343.98	3,000.00	343.98	3,000.00	3,000.00
CRF7212 · Grant (New Town Property)	12,500.00		12,500.00		
CRF7220 · Grants (New) RW	0.00	226,951.00	0.00	226,951.00	226,951.00
CRF7224 · Grants (Existing) Town Pro	8,297.83	543,613.00	8,297.83	543,613.00	543,613.00
CRF7238 · Other Contributions	0.00	33,180.00	0.00	33,180.00	33,180.00
CRF7270 · Lease Proceeds Verizon Tower	2,000.00	12,000.00	2,000.00	12,000.00	12,000.00
CRF7280 · Capital Lease Proceeds	0.00	49,821.00	0.00	49,821.00	49,821.00
CRF7285 · 1% Sales Tax from General Fund	64,839.28	384,163.00	64,839.28	384,163.00	384,163.00
CRF7805 · Grants (Existing) Town Property	-4,558.75	5,000.00	-4,558.75	5,000.00	5,000.00
CRF7810 · Transfers From General Fund	0.00	120,000.00	0.00	120,000.00	120,000.00
Total Income	83,422.34	1,377,728.00	83,422.34	1,377,728.00	1,377,728.00
Expense					
CRF9011 · CIP Roadway (Existing)	0.00	440,000.00	0.00	440,000.00	440,000.00
CRF9012 · CIP Town Property (Existing)	0.00	30,500.00	0.00	30,500.00	30,500.00
CRF9014 · Equipment Debt Service	930.74	11,169.00	930.74	11,169.00	11,169.00
CRF9025 · CIP Roadway (New)	0.00	485,881.00	0.00	485,881.00	485,881.00
CRF9026 · CIP-Town Property (New)	0.00	188,500.00	0.00	188,500.00	188,500.00
CRF9027 · CIP-Equipment (New)	0.00	1,500.00	0.00	1,500.00	1,500.00
CRF9101 · Improvements-Design	21,719.50	148,765.00	21,719.50	148,765.00	148,765.00
Total Expense	22,650.24	1,306,315.00	22,650.24	1,306,315.00	1,306,315.00
Net Income	60,772.10	71,413.00	60,772.10	71,413.00	71,413.00

2022 SALES TAX & PRIOR YEARS COMPARISONS

	2017	2018	2019	2020	2021	2022	2022	2022	2022	% +/-
					3% total	2% of total (General Fund)	1% of total (Capital Fund)	3% Total Sales Tax		
<u>JAN</u>	18,861.17	25,564.67	30,006.18	34,234.63	69,693.17	52,130.67	26,065.34	78,196.01		12.20%
	50.27				150.80					
<u>FEB</u>	24,659.13	19,628.62	24,163.25	32,835.27	62,025.70					
	3.87				232.01					
<u>MAR</u>	26,843.98	29,456.57	36,077.93	51,033.37	88,768.43					
	245.19				15.95					
<u>APR</u>	30,763.20	26,907.00	31,062.04	46,184.28	77,315.01					
	0.02									
<u>MAY</u>	31,184.50	37,867.12	43,414.62	51,540.56	101,149.31					
	185.6									
<u>JUNE</u>	40,835.96	45,084.65	56,385.66	69,361.40	121,572.25					
	83.13									
				2% of total (General Fund)						% +/-
<u>JULY</u>	43,306.02	43,950.00	56,461.48	65,272.29	117,054.99					
Treasurers Fee					130.50					
<u>AUG.</u>	38,829.14	35,968.42	46,583.57	59,524.79	88,928.52					
<u>SEPT.</u>	39,333.39	36,753.56	58,818.79	79,591.87	118,962.80					
<u>OCT.</u>	29,105.54	43,911.98	46,241.58	58,001.14	99,222.56					
	65.73			74.43						
<u>NOV.</u>	31,259.25	29,329.94	44,692.15	52,631.93	92,901.48					
	491.05			44.47	7.25					
<u>DEC.</u>	31,209.51	32,424.95	45,023.69	66,270.58	101,609.63					
1% Capital Fund										
TOTAL	356,049.01	406,847.48	473,907.25	547,579.60	69,843.97	52,130.67	26,065.34	78,196.01		11.96%

Proposed	340,000.00	360,000.00	518,930.94	510,000.00	898,561.65	790,707.88	384,163.00
Actual	387,315.65	406,847.48	473,907.25	547,579.60	1,139,740.36		
Difference	47,315.65	46,847.48	45,023.69	-37,579.60	-241,178.71		

**TOWN OF WESTCLIFFE
REQUEST TO BE PLACED ON AGENDA**

Office of the Town Clerk
P.O. Box 406
Westcliffe, CO. 81252
townclerk@townofwestcliffe.com
719-783-2282

Westcliffe Town Board Westcliffe Planning Commission

Here are things you need to know:

- You must contact the Town staff prior to coming to the Board. Quite often the issue can be resolved by staff action.
- Please plan on attending the meeting. The Board of Trustees will be unable to take action without a representative in attendance.

Please complete the following information and return this form no later than ten days prior to the Board meeting to the above address or bring it to the Town Hall at 1000 Main Street our office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. (Regular Board meetings are scheduled for the first Monday of each month.)

Name of person making presentation: Dianne Whalen

Organization, if speaking on behalf of a group: Altitude Community Fitness

Is this a request for Board action? ?xYes No

Please provide a summary of your comments:

For 2022 ACF received an Appreciated donation of \$4000. to help minimize energy costs primarily for the pool area by purchasing a new pool cover, window coverings etc. We are asking if we might use that \$4000 to indeed minimize energy costs but specifically to add to the cost of the new pool boiler costing \$48,000 which will replace the original 2005 boiler, currently leaking and deemed critical for replacement. We hope that you will approve this reallocation; we shall remit the cancelled check or credit card receipt to prove the purchase. Your donations, and others from the community and ACF members, are enabling this necessary purchase.

What staff member have you spoken to about this? Please summarize your discussion:

Kathy Reis as explained above. _____

Contact information:

Name: Dianne Whalen _____

**TOWN OF WESTCLIFFE, COLORADO
ORDINANCE NO. 1-2022**

**AN EMERGENCY ORDINANCE OF BOARD OF TRUSTEES OF THE TOWN OF
WESTCLIFFE, AN INCORPORATED TOWN OF THE STATE OF COLORADO,
AMENDING TITLE 9, SNOW ROUTE EFFECTIVE TIMES**

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate the use of streets and alleys pursuant to Colorado Revised Statutes (C.R.S.) 31-15-702; and

WHEREAS, the Board of Trustees of the Town of Westcliffe has determined that Section 9-1-7, paragraph L – Snow Removal, of the Town’s Municipal Code should be amended forthwith to allow for the proper removal of snow and ice at a reasonable cost to the Town and to ensure snow removal crews can keep vital roads and emergency routes clear; and

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to pass this emergency ordinance effective immediately pursuant to C.R.S. § 31-16-105; and

WHEREAS, the Board of Trustees finds and declares that it is necessary and in the best interests of the health, welfare, and safety of the residents of the Town of Westcliffe to immediately facilitate the continued operation of vital roads and emergency routes.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF WESTCLIFFE, COLORADO:**

1. **Amendment to Title 9, Chapter 1, Section 9-1-7, Paragraph L. of the Municipal Code.** Title 9, Chapter 1, Section 9-1-7, Paragraph L. of the Municipal Code is amended by adding the double-underlined text and removing the stricken text, as follows:

9-1-7: Violations

L. Snow Removal – Access by Snow Removal Equipment:

1. No vehicle shall be parked or left unattended on Main Street between Highway 69 and Adams Boulevard between the hours of ~~2:00~~ 3:00 a.m. and ~~6:00~~ 9:00 a.m. during the months of October through April.
2. **Emergency Declaration.** The Board hereby finds, determines and declares that it is necessary that this Ordinance take effect upon the Effective Date to ensure maintenance of vital roads and emergency routes in order to protect public health or safety.
3. **Effective Date and Time.** This Ordinance is effective as of this 21st day of March, 2022.

THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY THREE-FOURTHS VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 21ST DAY OF MARCH, 2022.

TOWN OF WESTCLIFFE

By: _____
Paul Wenke, Mayor

ATTESTED:

Kathy Reis, CMC, Town Clerk



CLAYTON M. BUCHNER
Town Attorney
Westcliffe, Colorado

MEMORANDUM FOR: Westcliffe Board of Trustees (“BOT”)

SUBJECT: Planning Commission and Committee Appointments

1. This memorandum is regarding the process for appointing Planning Commission and sub-committee members. The Planning Commission for Westcliffe is limited to the five (5) member body as delineated in C.R.S. § 31-23-203(1).
2. Westcliffe Municipal Code and state statute specifically prescribe that the Mayor shall be the appointing authority for the three (3) non ex officio members of the commission and that at least one of which shall be a Town Building and Zoning official. See Code Section 10-1-3 and C.R.S. § 31-23-203(1)(a). What this means in practice is that the Mayor is the appointing authority for two (2) non ex officio members of the commission that serve at the pleasure of the Mayor, and the other three (3) members are made up of the Mayor, a BOT member, and the Town Building official.
3. If the same Mayor is re-elected, it is technically considered a new term of office. Thus, the two (2) appointed members of the commission may be re-appointed as successors or may finish their term of office, which is either 2, 4, or 6 years depending on the individual member’s tenure date pursuant to C.R.S. § 31-23-203(3)
4. Regarding sub-committee members, neither the Code nor statute prescribes the process for sub-committee members’ appointment or term. C.R.S. § 31-23-203(4) allows the commission to “fill such other of its offices as it may determine.” However, the commission’s “offices” refer to internal positions of the commission itself. Thus, without specific delegation of such authority to the commission, the appointing official for any committees and their respective members remains with the BOT, and such members serve at the pleasure of the BOT.
5. As a best practice, the authority for appointing/terminating BOT advisory boards and their members should remain with the BOT as the decision-making body. Otherwise, the BOT allowing a committee member the authority to make an individual, unilateral appointment of another committee member creates a diffusion of authority and undermines lines of communication from and to the BOT.
6. Please feel free to contact me with any questions/concerns or to clarify if any facts or assumptions in this memorandum is in error.

Very Respectfully,

Clayton M. Buchner, J.D.
Town Attorney
Westcliffe, Colorado