

**BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, JULY 7, 2020  
REGULAR MEETING**

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**CALL TO ORDER**

Mayor Pro-Tem Cole called the meeting to order at 5:30 p.m.

**ROLL CALL**

**The following members were present:** Ms. Cole, Mr. Frickell, Ms. Snow, Mr. Nordyke, Mr. Johnston arrived approximately 5:40.

**ABSENT:** Mayor Wenke and Brian Cline

**PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Cole led the Pledge of Allegiance

**OTHERS PRESENT**

Charles Bogle-2362 Black Fawn Lane, Elliot Jackson-Wet Mtn. Tribune, David Schneider-Round Mountain Water and Sanitation District, Jay Printz, Ed Stefanich and Kathy Reis. Call in-Tracy Ballard and Ashley Franklin.

**Financial:**

- a. Treasurer's Report: Clerk Reis submitted written reports. With 50 percent of the year having elapsed, General Fund has collected 48.8 percent of budgeted revenues and spent 33.7 percent of budgeted expenditures. Capital Fund has collected 12.7 percent of budgeted revenues and spent 4.6 percent of budgeted expenditures. Sales tax for April was up by 48.68 percent, which is up 35.43 percent from the previous year-to-date.

**Account balances:**

General Fund Checking:	\$ 160,626.96
CSafe-GF Core 11:	\$ 146,739.70
CSafe-3% Tabor Reserve:	\$ 21,365.54
CSafe-General Fund Reserve-14	\$ 161,391.94
Municipal Court Checking:	\$ 1,407.70
Tennis Court Checking:	\$ 12,489.15
Conservation Trust Fund Checking:	\$ 37,450.33
Capital Fund Checking:	\$ 112,468.76
CSafe-CF Core 12:	\$ 219,583.80
Total C.D.'s plus interest:	\$ 201,344.70

**APPROVAL OF CONSENT AGENDA**

- a. Approval of minute's  
b. Treasurer's Report  
c. Approval of Bills

**Mr. Frickell** moved and **Ms. Snow** seconded to the consent agenda. Motion carried.

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**OLD BUSINESS**

None

**NEW BUSINESS**

**a. Consideration of request to provide office space at no charge for a regional Economic Disaster Coordinator-Charles Bogle.**

Mr. Bogle requested office space at no charge to support a regional Economic Disaster Coordinator for two years and a letter of support for the grant request. Two requirements of the grant are to have three staff members and an office. There is some funding for hardware, no furniture or to pay for office space. There would only be one person in this office. There is a person interested in the job for the Custer County office.

The Board of Trustees felt it was a great service but, one of the concerns was creating more cleaning required during the pandemic and more exposure to staff. If allowed other non-profits will want to start using the building again. There isn't air circulation or windows in the basement. The other concern was liability insurance, would there be coverage if a person fell down the stairs. Attorney Printz stated there would need to be insurance of holding the Town harmless.

The Board of Trustees asked if there were other options and why can't the person work from home. Mr. Bogle responded there are some other options that he will need to explore.

Mayor Pro-Tem Cole called for a motion to approve the request for office space for SCEDD. A motion was not made, the motion dies on its own. The Board of Trustees asked Mr. Bogle to draft the letter of support for the Town to sign.

**b. Consideration of request to approve a support letter to Round Mtn. Water and Sanitation District for a reservoir feasibility study and design – David Schneider.**

Mr. Schneider gave a brief history on the water. We need an additional storage site for the water per the Decree. Round Mtn. owns 20 acres at Gallery Well site south of town on the west side of the highway. It is an ideal place for a reservoir to store the augmented water. A grant has been applied for with the Colorado Water Conservation Board for a Feasibility Study and Reservoir Design. They recommended getting letters of support from people in the water district. He stated there is a very good chance of getting the grant.

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**NEW BUSINESS CONTINUED**

**ACTION:** **Ms. Snow** moved and **Mr. Nordyke** seconded to approve a support letter to Round Mtn. Water and Sanitation District for a reservoir feasibility study and design. Motion carried.

**c. Consideration transferring \$281,816 from the General Fund to the Capital Fund per the 2019 Audit and possible approval or filing an extension for the 2019 Audit.**

Mayor Pro-Tem Cole explained the options are to schedule a special meeting to discuss this, today we could decide on a smaller amount and wait until the end of the year to transfer more. We need to submit it by the end of this month or file for an extension.

Clerk Reis explained that the 2019 Audit reflects per the Town's General Fund Policies that any amount over 40% of the Ending Fund Balance is to be transferred to the Capital Fund. It also states that during an economic downturn the Board of Trustees can determine a lesser amount be transferred or none. It can be transferred at the end of the year. She recommended that no more than \$75,000.00 be transferred now. She also stated it is a board decision, it is a concern to make sure bills can be paid throughout the end of the year. The Board of Trustees agreed.

**ACTION:** **Mr. Nordyke** moved and **Mr. Frickell** seconded to accept Clerk Reis's recommendation. Motion carried.

Clerk Reis explained that a second motion is needed to approve the 2019 Audit reflecting the \$75,000.00 transfer.

**ACTION:** **Ms. Snow** moved and **Mr. Frickell** seconded to approve 2019 Audit with the \$75,000.00 transfer. Motion carried.

**d. Consideration of request to approve Ord. 4-2020 amending Title 4, Chapter 3, Liquor Licensing Matters.**

Clerk Reis explained the amendment is to update the C.R.S. numbers as they have changed. It is just a house keeping item.

**ACTION:** **Mr. Frickell** moved and **Mr. Nordyke** seconded to approve Ord. 4-2020 amending Title 4, Chapter 3, Liquor Licensing Matters. Motion carried.

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**NEW BUSINESS CONTINUED**

**e. Accept the Town Attorney's resignation.**

Several board members thanked Attorney Printz for his service not only to the Town but, to the community and appreciate everything he has done for many years.

**ACTION:** Mr. Frickell moved and Mr. Nordyke seconded to accept Attorney Printz's resignation with regret. Motion carried.

**f. Determine process of search for a Town Attorney.**

Attorney Printz stated under normal circumstances, this should be put out for bid. You need to choose how you want to advertise it and the wording you would like to use. There is an exception to that rule, if there are no qualified candidates that you can determine, you can make a selection from a soul individual if you choose to. My recommendation is to do the proper process and put it out for bid.

Attorney Printz asked Attorney Wade Gateley to attend tonight, you can speak with him is you choose. He has had municipal experience. The board agreed it should be put out for bid.

**g. Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4) (e) - Town Attorney.**

An Executive session was called for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4) (e) - Town Attorney.

**ACTION:** Mr. Frickell moved and Ms. Snow seconded to move an Executive session was called for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4) (e) - Town Attorney. Motion carried.

At 6:03 p.m. the regular meeting was recessed. Executive Session was convened at 6:05 p.m.

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**NEW BUSINESS CONTINUED**

**Regular Meeting**

At 6:23 p.m., Mayor Pro-Tem Cole reconvened the regular meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Ms. Snow, Mr. Frickell, Mr. Nordyke, Mr. Johnston, Ms. Cole, Ed Stefanich, Wade Gateley, Jay Printz and Kathy Reis. Wade Gateley left during the Executive Session. For the record, Mayor Pro-Tem Cole asked that if any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record.

Mayor Pro-Tem Cole asked the board members to review the RFP prior to the workshop and special meeting to make changes. They all agreed that Mayor Wenke needs to be involved. The meeting will be schedule when he is available. Clerk Reis will send out a date. The board requested that Attorney Printz attend.

**STAFF & COMMITTEE REPORTS**

**a. Report from Town Clerk**

No report.

**b. Report from Town Manager**

Mr. Stefanich reported the chip seal has been completed. The park projects are behind due to the chip seal project. The Pocket Park has been formed up for the sidewalk and stage, also the ADA ramps at the Summit Park restroom. Locks, grab bars, etc. need completed. This all should be done in the next week and a half.

Part of the fence on the south side is destroyed, boulders have been put in its place.

Attorney Printz was concerned about the platform at Chappy's not having a barricade up. It is a safety concern. Mr. Stefanich reported the barricades have been ordered and should arrive at the end of this week or next week. It was suggested that Chappy's park a vehicle on the east side of the platform during the times it is in use until the barricade are put in place. Attorney Printz said that would be acceptable.

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**STAFF & COMMITTEE REPORTS CONTINUED**

Another concern was the barriers taking up a parking place in front of the neighboring business. Mr. Stefanich stated the dimensions were approved and they are only taking up two parking spaces. The business next door isn't open at this time. The barricades are only about 18" and won't take up an additional parking space.

Mr. Stefanich will contact Chappy's regarding parking the car there until the barricades are up or they can't use it. He will also try to reach out to the owners at Bell's letting them know they have the same option of putting a platform up in the street for additional seating.

**c. Report from Town Attorney**

No report.

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

**ADJOURN**

Recorded by:  
Kathy Reis  
Town Clerk