

**AGENDA  
BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, MARCH 18, 2025  
PATTERSON HALL – 1000 MAIN  
REGULAR MEETING**

**5:30 p.m.**

Join by Zoom

Meeting ID: 818 5670 3226

Passcode: 423986

By phone: 1 719 359 4580

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 are approved with one motion. There will be a separate discussion of these items if a Board Member or citizen requests. 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 Ordinance NO. 2-2025 adding Chapter 9, Firearms in Public Buildings, of Title 5 of the Westcliffe Municipal Code.

7. New Business

- a. Custer County Tourism report.
- b. Presentation by Trails for All.
- c. Sheriff's report.
- d. Wet Mountain Fire Protection District report.
- e. Presentation by St. Luke's Church.
- f. Complete Business Solutions IT report.
- g. Consideration of a request to approve compensation for administrative staff wages and public works staff wages.
- h. Consideration of a request to terminate the Communication Manager's contract with a 60-day notice.
- i. Executive Session- Determining positions relative to matters that may be subject to negotiations, under C.R.S. Section 24-6-402(4)(e) regarding employment contract for Town Attorney.

8. Additions to the Agenda
9. Staff & Committee Reports
10. Public Comment – Westcliffe citizens or business owners can comment on agenda items only and are limited to three (3) minutes. A request can be made to be placed on a future month's agenda if they want to address the Board of Trustees on issues related to the Town of Westcliffe.

Adjourn

**BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, FEBRUARY 18, 2025  
REGULAR MEETING**

-Page 1 -

**CALL TO ORDER**

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

**ROLL CALL**

The following members were present: Mr. Dembosky, Mr. Jagow, Mr. Fulton, Mr. Nordyke, and Mr. Wilhelm.

**PLEDGE OF ALLEGIANCE**

Mayor Wenke led the Pledge of Allegiance.

**OTHERS PRESENT**

Neal Marrs, Inge Mundon, Pam Ouzts, Bianca Trenker, Shaun Austin, Jerry Peters, Mike Whetstine, John Van Doren, Erin Christie, Elliot Jackson (Zoom), & Attorney Clay Buchner (Zoom).

**TREASURER’S REPORT**

	<b>REVENUE RECEIVED</b>	<b>BALANCE OF ACCOUNTS</b>
<b>General Fund Checking:</b>	\$ 82,766.93	\$ 209,427.83
CSafe-GF Core 11:	\$ 2,112.98	\$ 581,163.96
CSafe-3% Tabor Reserve 13:	\$ 261.50	\$ 71,297.74
CSafe-General Fund Reserve-14	\$ 1,689.48	\$ 439,256.88
CSafe-Tennis Ct.-Core-16	\$ 83.56	\$ 21,396.70
<b>Tennis Court Checking:</b>	\$ 0.00	\$ 5,219.32
<b>Municipal Court Checking:</b>	\$ 0.00	\$ 3,607.70
<b>Conservation Trust Fund Checking:</b>	\$ 0.58	\$ 14,292.98
CSafe-CF Core 15	\$ 175.34	\$ 44,929.90
<b>Capital Fund Checking:</b>	\$ 42.75	\$ 612,619.43
CSafe-CF Core 12:	\$ 2,993.18	\$ 767,834.34

**EXPENDITURES**

<b>GENERAL FUND:</b>	<b>\$ 108,054.29</b>
<b>MUNICIPAL COURT:</b>	<b>\$ 0.00</b>
<b>TENNIS COURT:</b>	<b>\$ 0.00</b>
<b>CONSERVATION TRUST FUND:</b>	<b>\$ 0.00</b>
<b>CAPITAL FUND:</b>	<b>\$ 19,409.24</b>

**APPROVAL OF CONSENT AGENDA**

- a. Approval of minutes
- b. Treasurer’s Report
- c. Approval of Bills

**ACTION:** Mr. Wilhelm moved, and Mr. Jagow seconded to approve the consent agenda. Motion carried.

BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, FEBRUARY 18, 2025  
REGULAR MEETING

-Page 2 -

**OLD BUSINESS**

- a. **Consideration of a request to approve Ordinance NO. 2-2025 adding Chapter 9, Firearms in Public Buildings, of Title 5 of the Westcliffe Municipal Code.**

Attorney Buchner reported that this updated ordinance reflects the opt-out provision for HB 24-131 while still protecting the municipal court prohibition. Town Hall turns into a municipal court when there is a court case so no firearms are allowed. Otherwise, concealed carry is allowed in Town Hall but open carry is prohibited. Mr. Nordyke suggested having the Sheriff come to the next meeting to give his input since he will be the person enforcing the ordinance, and the other Trustees agreed.

**ACTION:** Mayor Wenke moved, and Mr. Nordyke seconded to table this to March's meeting. Motion carried.

**NEW BUSINESS**

- a. **Presentation by Wet Mountain Fire Protection District.**

Mr. Coleman could not attend the meeting so this will be on March's agenda.

- b. **Consideration of appointing Christy Patterson to fill the vacant Trustee seat.**

Ms. Patterson submitted the only letter of interest that the Town received.

**ACTION:** Mr. Nordyke moved, and Mr. Jagow seconded to appoint Christy Patterson to fill the vacant Trustee seat. Motion carried.

Mayor Wenke swore Ms. Patterson in as the new Trustee.

- c. **Consideration of a request to approve Town Attorney Buchner's employment contract.**

Mr. Buchner reported that he has been appointed as a deputy district attorney so he cannot practice private law as a contractor, but he can be employed by local government entities. So, he is requesting that he be a part-time employee for the Town with a salary. He will be waiving all benefits but will be subject to regular payroll taxes. He requests that the negotiations for the employment be done in an executive session next month.

**ACTION:** Mr. Fulton moved, and Jagow seconded to table this for a workshop and then discuss in an executive session in the March meeting. Motion carried.

- d. **Consideration of a request to re-activate the Westcliffe Parks Advisory Committee.**

Mr. Dembosky reported that the Parks Committee was created in 2023 as an advisory committee to assist in the design of the Jess Price Park upgrade and to submit a report on Memorial and Hermit Parks. The Farmer's Market wants to use Jess Price Park so the Parks Committee should assist with this to inform the Board before they make a decision. In addition, he requested that Neal Marrs be appointed to the Parks Committee

BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, FEBRUARY 18, 2025  
REGULAR MEETING

-Page 3 -

**ACTION:** Mr. Wilhelm moved, and Mr. Dembosky seconded to appoint Neal Marris to the Westcliffe Parks Advisory Committee. Motion carried.

**ACTION:** Mayor Wenke moved, and Mr. Jagow seconded to reactivate the Westcliffe Parks Advisory Committee. Motion carried.

- e. **Consideration of a request to adopt the Resolution and Agreement by UMB Bank (Card Services) to add the Town Clerk as a signatory to the Town credit card company.**

Ms. Christie reported that the bank signature cards should be updated to add her as a signatory on the Town's credit card in case she needs to call customer service.

**ACTION:** Mr. Jagow moved, and Mr. Fulton seconded to adopt the Resolution and Agreement by UMB Bank to add the Town Clerk as a signatory to the Town credit card company. Motion carried.

**ADDITIONS TO THE AGENDA**

Mr. Wilhelm reported that there is a vacancy on the Façade Grant application committee since Mr. Mowry resigned so someone needs to fill it. Both Mr. Fulton and Mr. Jagow offered to do it.

**STAFF & COMMITTEE REPORTS**

**a. Report from Mayor**

Mayor Wenke reported that he, along with Mr. Fulton and Melane Rella, will be going to Eaton, CO, to give the Housing Needs Assessment presentation to DOLA in March.

**b. Report from Town Clerk**

Ms. Christie reported that the Board should set a workshop date to prioritize what grant(s) the Town should apply for in 2025.

**c. Report from Trustee Christy Patterson**

Ms. Patterson updated the Board on the Housing Needs Assessment kick-off meeting. The company that is doing the assessment is looking at ways to hear from the community about problems they have had with getting housing in Town. Mr. Fulton was also in attendance, along with Pam Ouzts from the Custer County Workforce Housing Committee.

**d. Report from Neal Marris**

Mr. Marris reported that the bids are in for the paving project. The streets that will be paved are Adams Street from the Bowling Alley to Jerry Drive, 3<sup>rd</sup> Street from Main to Rosita, 2<sup>nd</sup> Street from Main to Northern Ave, and 10<sup>th</sup> Street from the school to the parking lot on the West side of the gym.

**BOARD OF TRUSTEES  
TOWN OF WESTCLIFFE  
TUESDAY, FEBRUARY 18, 2025  
REGULAR MEETING**

**-Page 4 –**

**PUBLIC COMMENT**

A citizen asked if the Board of Trustees or Planning Commission seats could be reduced or increased. Attorney Buchner said the Board could be reduced to five from seven seats but was unsure if it could be increased. Since Christy Patterson is now a Trustee there will be an open seat on the Planning Commission.

A citizen commented on the paving project on Adams Street – it has been used as a spillway over the years so he suggested raising the low point of the street to ensure it is still part of the flood control design.

A citizen commented on the Master Plan, specifically, the Town trails and landscaping of the strips in our road right of ways, and the Parks Committee should be involved.

**Mr. Wilhelm** moved, and **Mr. Fulton** seconded to adjourn. Motion carried.

**ADJOURN**

Recorded by:  
Erin Christie  
Town Clerk

**REVENUES RECEIVED IN FEBRUARY 2025**

**GENERAL FUND**

<b>Cash</b>		
Misty Morning Studio	2025 Business License Renewal	25.00
Artistic Edge Dance Studio	2025 Business License Renewal	25.00
Zenterra Massage	New business license	40.00
Lokken Chiropractic	2025 Business License Renewal	25.00
Music Mtn. Instruments	2025 Business License Renewal	25.00
<b>Credit Card</b>		
Austin, Lauren (Westcliffe Suites)	2025 Business License Renewal	25.00
Wild Whimsy Apothecary	2025 Business License Renewal	25.00
The Sunflower Patch	2025 Business License Renewal	25.00
Patio on Main	2025 Business License Renewal	25.00
<b>Checks</b>		
The Rocks Parts Co.	2025 Business License Renewal	25.00
Salimeno, Kimberlee	2025 Business License Renewal	25.00
Home Smart Realty	2025 Business License Renewal	25.00
Salon	2025 Business License Renewal	25.00
Columbine Skin & Laser, LLC	2025 Business License Renewal	25.00
Imediasmith	2025 Business License Renewal	25.00
Cliff Lanes LLC	2025 Business License Renewal	25.00
Black Hills Energy	Jan Franchise Fee	3,646.22
Brookwood Gallery	2025 Business License Renewal	25.00
Pearl Medical & Spa	2025 Business License Renewal	25.00
Lowe's	2025 Business License Renewal	25.00
Raven's LLC	2025 Business License Renewal	25.00
Raven's Off Main	2025 Business License Renewal	25.00
Wet Mtn. Fire Auxillary	2025 Business License Renewal	25.00
Custer Co. Realty	2025 Business License Renewal	25.00
Yoder's Home Outfitting	2025 Business License Renewal	25.00
Hartbauer Auto Sales	2025 Business License Renewal	25.00
Westcliffe Petroleum	2025 Business License Renewal	25.00
Bear Ridge Construction	2025 Business License Renewal	25.00
Bear Pak N Ship	New business license	40.00
The Wild West LLC	2025 Business License Renewal	25.00
Epstein Neurosurgery Center	2025 Business License Renewal	25.00
Wet Mtn. RV	2025 Business License Renewal	25.00
Sangre Art Guild	2025 Business License Renewal	25.00
Central Colorado Title & Escrow	2025 Business License Renewal	25.00
Peregrine Coffee Roasters	Outdoor seating permit	300.00
The Constellation	Liquor License	50.00
Levadura Breads	Park usage fee and damage deposit	200.00
CIRSA	2024 Loss Control Audit Credit	12.00
Custer County Treasurer		7,527.93
	IND - Delinq Interest 36.39	

Treasurer's Report March 5, 2024

	MHC - Current Taxes 9.69	
	RBC-Current Road & Bridge 2,417.99	
	RBD - Delinq Road & Bridge 63.82	
	RLC-Current Tax 4,048.55	
	RLD - Delinq Real Estate 404.30	
	SOA-Specific Ownership A 168.71	
	SOB-Specific Ownership B 547.50	
	TFC-Treasurer Fee -128.93	
	TFD - Delinq Treasurer Fee -10.09	
United Business Bank of Colorado	Interest	16.36
State of Colorado	2% Sales Tax	73,061.90
State of Colorado	CIG Tax	127.95
State of Colorado	Highway Users Tax	2,816.33
<b>GENERAL FUND CHECKING REVENUE RECEIVED IN FEBRUARY 2025</b>		<b>\$88,473.69</b>

Csafe-GF Core-11	Interest	\$1,849.90
Csafe-3% Tabor Reserve-13	Interest	\$248.04
Csafe-GF Reserve-14	Interest	\$1,527.72
Csafe-GF Reserve-16	Interest	\$74.66

**TENNIS COURT PROJECT CHECKING**

<b>TENNIS COURT PROJECT CHECKING REVENUE RECEIVED IN FEBRUARY 2025</b>		<b>\$0.00</b>

<b>MUNICIPAL COURT CHECKING REVENUE RECEIVED IN FEBRUARY 2025</b>		<b>\$0.00</b>

**REVENUES RECEIVED IN FEBRUARY 2025**

<b>CONSERVATION TRUST FUND</b>		
United Business Bank	Interest	0.55
<b>CONSERVATION TRUST FUND REVENUE RECEIVED IN FEBRUARY 2025</b>		<b>\$0.55</b>

Csafe-CF Core 15	Interest	\$156.34
------------------	----------	----------

<b>CAPITAL FUND</b>		
United Business Bank	Interest Capital Fund Checking	53.01
State of Colorado (Town of Westcliffe)	1% Sales Tax	36,530.95
State of Colorado	Reimb. Inv. #7 23660 Construction	84,838.12
Verizon Wireless	Lease Payment	1,100.00
<b>CAPITAL FUND CHECKING REVENUE RECEIVED IN FEBRUARY 2025</b>		<b>\$122,522.08</b>

Csafe-CF Core 12	Interest	\$2,670.38
------------------	----------	------------

**BALANCE IN ALL FUND ACCOUNTS**

<b>GENERAL FUND CHECKING</b>		<b>\$213,756.99</b>
------------------------------	--	---------------------



Treasurer's Report March 5, 2024

CSafe-GF Core-11		\$533,758.84
CSafe-3% Tabor Reserve-13		\$71,545.78
CSafe-GF Reserve-14		\$440,784.60
CSafe-GF Reserve-16		\$21,471.36
TENNIS COURT PROJECT CHECKING		\$5,219.32
MUNICIPAL COURT CHECKING		\$3,607.70
<b>TOTAL GENERAL FUND ACCOUNTS</b>		<b>\$1,290,144.59</b>

CONSERVATION TRUST FUND CHECKING		\$14,293.53
CSafe-CF Core 15		\$45,086.24
<b>TOTAL CONSERVATION TRUST FUND ACCOUNTS</b>		<b>\$14,293.53</b>

CAPITAL FUND CHECKING		\$715,732.27
CSafe-CF Core 12		\$770,504.72
<b>TOTAL ALL CAPITAL FUND ACCOUNTS</b>		<b>\$1,486,236.99</b>

**CASH BALANCE OF ALL FUND ACCOUNTS** **\$2,790,675.11**

NOTE: 1% Sales tax of \$36,530.95 was transferred to the Capital Fund from the General Fund.

**GENERAL FUND**

4 Rivers Equipment	Shop Maint - fix thermostat	84.97
Airgas USA, LLC	Shop Maint/Supplies - Welder	2,162.23
Black Hills Energy	Lights/Electric	1,930.00
Bruchner's Truck & Equipment	Vehicle Maint/Supplies	932.53
Card Services	Supplies, employee trainings, misc	3,100.89
CenturyLink	Phone/Elevator	50.25
Coberly, Trisha	Final payment - website accessibility remediation	1,200.00
Custer County Rd. & Bridge	Street Maint.& Fuel	430.28
GMCO Corp	Street Maint/Supplies	297.50
Hilltop Broadband	Internet	273.35
Infinity Leasing	IT Service Contract with Complete Business Solution	779.50
Langston Concrete	Misc Town Repairs	4,000.00
Marlin Leasing Corp (Peac Solutions)	Contract balance due for copy machine (they bought	343.05
Norup Gas	Propane	1,692.23
Procom	One employee random drug test	45.00
Reymos, Justin (Levadura Bread)	Park damage deposit refund	100.00
Rock Parts Company	Vehicle Maint./ Parts	365.31
Round Mtn. Water & Sanitation District	Water & Sewer	829.4
Sangre de Cristo Sentinel	Publishing services	34.80
Tovrea, Sheri	Employee random drug test	20.00
Valley Ace Hardware	Supplies	1,618.84
Wet Mtn. Valley Rotary Van Service	2024 Donation - replacing lost check #17632	1,100.66
Wet Mountain Tribune	Publishing services	332.92

**Payroll Expenses**

CEBT	Employer/Health Ins.	2,221.66
CEBT	Employee/Health Ins.	250.14
Colo. State Treasurer	4Q SUTA	284.29
EFTPS	February Payroll Taxes	6,313.78
GWRS	Employee Share Retirement Fund (ACH)	2,334.28
GWRS	Employer Share Retirement Fund (ACH)	835.00

<b>BILLS TO DATE</b>	<b>\$33,962.86</b>
<b>FEBRUARY 2025 PAYROLL</b>	<b>19,502.60</b>
<b>TOTAL GENERAL FUND EXPENDITURES FOR FEBRUARY 2025</b>	<b>\$53,465.46</b>

**CAPITAL FUND**

<b>TOTAL CAPITAL FUND EXPENDITURES FOR FEBRUARY 2025</b>	<b>\$0.00</b>
--	---------------



The undersigned acknowledges that the above listed invoices were presented for review.

Gen. Fund Profit & Loss Budget Performance

	Feb 25	Budget	Jan - Feb 25	YTD Budget	Annual Budget
<b>Income</b>					
7000 · General Property Taxes	4,028.24	5,926.02	4,421.61	11,852.08	71,112.28
7050 · Specific Ownership Taxes	716.21	666.67	1,463.59	1,333.30	8,000.00
7100 · Town Sales Taxes	73,061.90	76,721.70	138,879.80	153,443.45	920,660.45
7101 · Town Sales Tax License	880.00	333.33	3,585.00	666.70	4,000.00
7106 · Penalties & Int-Delinquent Tax	504.51	16.67	532.05	33.30	200.00
7115 · Franchise Fee	3,646.22	3,000.00	6,933.73	6,000.00	36,000.00
7120 · Special Assessments	0.00	208.33	0.00	416.70	2,500.00
7125 · Building & Zoning Permits	300.00	3,333.33	5,970.00	6,666.70	40,000.00
7126 · Fence/Sign/Excavation Permits	0.00	66.67	0.00	133.30	800.00
7127 · Special Use By Review Permits	0.00	25.00	0.00	50.00	300.00
7130 · Traffic Fines & Ordinances	0.00	8.33	0.00	16.70	100.00
7135 · Court Costs	0.00	0.00	0.00	0.00	0.00
7140 · Liquor Licenses/Special Events	50.00	125.00	100.00	250.00	1,500.00
7148 · Disposable Bag Fee	0.00	208.33	503.82	416.70	2,500.00
7150 · Cigarette Tax	127.95	266.67	364.43	533.30	3,200.00
7160 · Interest Income	3,716.68	3,500.00	7,891.00	7,000.00	42,000.00
7165 · Miscellaneous Income	12.00	83.33	12.00	166.70	1,000.00
7200 · Highway Users Tax	2,816.33	2,448.64	5,761.75	4,897.27	29,383.67
7205 · Road & Bridge Funds	2,417.99	3,027.08	2,452.81	6,054.20	36,325.00
7215 · American Rescue Plan Funds	0.00	0.00	0.00	0.00	0.00
7239 · Contributions from General Fund	0.00	0.00	0.00	0.00	0.00
7300 · Tennis Court Donation Fund	0.00	4.17	0.00	8.30	50.00
7305 · Events Center-Rental Fees	0.00	275.00	0.00	550.00	3,300.00
7310 · Bluff Site Maint. Fee	0.00	0.00	0.00	0.00	0.00
7315 · Park Usage Fee	140.00	133.33	395.00	266.70	1,600.00
7807 · Reimbursed Expenses	0.00	0.00	0.00	0.00	0.00
7810 · Transfers In	0.00	0.00	0.00	0.00	0.00
7820 · Lease Equipment-I	0.00	0.00	0.00	0.00	0.00
7840 · State Grant	0.00	0.00	0.00	0.00	0.00
7845 · Federal Grant	0.00	16.67	0.00	33.30	200.00
7871 · Grant-SIPA	0.00	0.00	0.00	0.00	0.00
7940 · Sale of Assets	0.00	0.00	0.00	0.00	0.00
<b>Total Income</b>	<b>92,418.03</b>	<b>100,394.27</b>	<b>179,266.59</b>	<b>200,788.70</b>	<b>1,204,731.40</b>
<b>Cost of Goods Sold</b>					
5001 · Cost of Goods Sold	0.00	0.00	0.00	0.00	0.00
<b>Total COGS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Gross Profit</b>	<b>92,418.03</b>	<b>100,394.27</b>	<b>179,266.59</b>	<b>200,788.70</b>	<b>1,204,731.40</b>
<b>Expense</b>					
void	0.00	0.00	0.00	0.00	0.00
4001 · Reconciliation Discrepancies	0.00	0.00	0.00	0.00	0.00
8000 · Trustees	489.60	333.33	800.65	666.70	4,000.00
8005 · Ordinances & Procedures	367.72	950.00	367.72	1,900.00	11,400.00
8010 · Colo. Muni League Dues	0.00	83.33	0.00	166.70	1,000.00
8015 · Elections	0.00	291.67	0.00	583.30	3,500.00
8020 · General Accounting	0.00	141.67	0.00	283.30	1,700.00
8025 · Auditing	0.00	833.33	0.00	1,666.70	10,000.00
8030 · Attorney	0.00	1,666.67	924.00	3,333.30	20,000.00
8035 · Insurance - General	0.00	1,463.50	16,636.07	2,927.00	17,562.00
8040 · Workman's Compensation	0.00	691.67	9,638.00	1,383.30	8,300.00
8050 · Colorado State Unemployment	336.16	52.01	395.03	104.09	624.19
8100 · Town's Share FICA	1,607.86	1,612.50	3,432.54	3,224.95	19,349.95
8110 · Town's Share MEDI	376.03	377.11	802.78	754.29	4,525.39
8115 · Town Share Health Insurance	2,880.47	4,799.75	6,604.74	9,599.50	57,597.00
8120 · Town Share Retirement Fund	749.54	1,560.48	1,693.09	3,120.95	18,725.75
<b>8201 · Administrative Wages</b>					
8200 · Clerk/Treasurer Wages	5,500.00	0.00	11,000.00	0.00	0.00
8205 · Deputy Clerk	3,545.50	0.00	7,979.25	0.00	0.00
8235 · Building Inspector	1,195.68	0.00	2,508.04	0.00	0.00
8201 · Administrative Wages - Other	0.00	18,966.67	0.00	37,933.30	227,600.00
<b>Total 8201 · Administrative Wages</b>	<b>10,241.18</b>	<b>18,966.67</b>	<b>21,487.29</b>	<b>37,933.30</b>	<b>227,600.00</b>
8208 · Communications Manager	0.00	2,000.00	5,000.00	4,000.00	24,000.00
8209 · Administrative Education	0.00	875.00	0.00	1,750.00	10,500.00
8210 · Clerk Education	0.00	0.00	0.00	0.00	0.00
8215 · Office Supplies	0.00	300.00	0.00	600.00	3,600.00
8220 · Town Manager Wages	0.00	0.00	0.00	0.00	0.00
8225 · Manager/Bldg/Zoning Education	0.00	0.00	0.00	0.00	0.00
8236 · Project Manager	0.00	0.00	0.00	0.00	0.00
8240 · County Treasurer's Fees	139.02	166.67	148.13	333.30	2,000.00
8245 · Municipal Court Wages	0.00	0.00	0.00	0.00	0.00
8250 · Municipal Court Postage	0.00	0.00	0.00	0.00	0.00
8280 · Payroll Expenses	0.00	0.00	0.00	0.00	0.00
8300 · Town Hall Maintenance	2,615.63	1,416.67	11,779.47	2,833.30	17,000.00
8308 · Town Hall Utilities	1,240.81	1,000.00	2,092.86	2,000.00	12,000.00
8310 · Lease Equipment	343.05	0.00	463.55	0.00	0.00
8315 · Lease Principal	0.00	120.50	0.00	241.00	1,446.00
8316 · Lease Interest	0.00	0.00	0.00	0.00	0.00
8405 · Animal Control	0.00	66.67	334.92	133.30	800.00
8410 · Organizational Membership Dues	0.00	83.33	0.00	166.70	1,000.00
8415 · Recycling Program	0.00	0.00	0.00	0.00	0.00
8501 · Seasonal Wages	0.00	0.00	0.00	0.00	0.00
8505 · Public Works Education	153.00	500.00	153.00	1,000.00	6,000.00

Town of Westcliffe  
Gen. Fund Profit & Loss Budget Performance

February 2025

	Feb 25	Budget	Jan - Feb 25	YTD Budget	Annual Budget
8506 - Public Works Wages					
8510 - Street and Park Tech Wages	15,942.42	0.00	34,354.78	0.00	0.00
8506 - Public Works Wages - Other	0.00	16,202.00	0.00	32,403.90	194,423.90
<b>Total 8506 - Public Works Wages</b>	<b>15,942.42</b>	<b>16,202.00</b>	<b>34,354.78</b>	<b>32,403.90</b>	<b>194,423.90</b>
8508 - Street & Park Supervisor	0.00	0.00	0.00	0.00	0.00
8515 - Street Maintenance & Fuel	4,966.23	5,000.00	7,513.57	10,000.00	60,000.00
8520 - Emergency Snow Removal	0.00	2,500.00	0.00	5,000.00	30,000.00
8525 - Street Lighting	1,075.49	1,333.33	2,148.93	2,666.70	16,000.00
8530 - Vehicle & Equip. Maintenance	981.26	2,500.00	2,920.82	5,000.00	30,000.00
8538 - Shop Maintenance	4,337.58	1,000.00	6,241.03	2,000.00	12,000.00
8540 - Shop Utilities	255.16	750.00	1,852.56	1,500.00	9,000.00
8545 - Highway Barn Utilities	177.34	583.33	1,722.52	1,166.70	7,000.00
8550 - Highway Barn Maint.	0.00	333.33	0.00	666.70	4,000.00
8600 - Park Utilities	1,113.70	3,333.33	2,216.11	6,666.70	40,000.00
8605 - Park Maintenance	714.25	2,250.00	5,211.83	4,500.00	27,000.00
8700 - Custer County Sheriff	0.00	5,358.33	15,537.50	10,716.70	64,300.00
8800 - Donations	1,100.66	1,725.00	2,144.50	3,450.00	20,700.00
8802 - Plastic Pollution Act	0.00	0.00	0.00	0.00	0.00
8805 - Grants/Local	0.00	2,083.33	0.00	4,166.70	25,000.00
8806 - American Rescue Plan Expenses	0.00	0.00	0.00	0.00	0.00
8807 - Marketing	0.00	416.67	230.00	833.30	5,000.00
8808 - Economic Development	0.00	0.00	0.00	0.00	0.00
8810 - Contingencies	0.00	1,666.67	0.00	3,333.30	20,000.00
8811 - Contribution to/from Capital Fun	0.00	8,333.33	0.00	16,666.70	100,000.00
8820 - Transfers Out	0.00	0.00	100,000.00	0.00	0.00
8900 - Principal GLTD	0.00	0.00	0.00	0.00	0.00
8950 - Interest GLTD	0.00	0.00	0.00	0.00	0.00
9014 - Equipment Debt Service	0.00	0.00	0.00	0.00	0.00
9340 - Debt Service	0.00	0.00	0.00	0.00	0.00
<b>Total Expense</b>	<b>52,204.26</b>	<b>95,721.18</b>	<b>264,847.99</b>	<b>191,442.38</b>	<b>1,148,654.18</b>
<b>Net Income</b>	<b>40,213.77</b>	<b>4,673.09</b>	<b>-85,581.40</b>	<b>9,346.32</b>	<b>56,077.22</b>

9:51 AM

03/10/25

Accrual Basis

**TOWN OF WESTCLIFFE**  
**Capital Fund Profit & Loss Budget Performance**  
**February 2024**

	Feb 24	Budget	Jan - Feb 24	YTD Budget	Annual Budget
<b>Income</b>					
CRF7225 Federal Grants	0.00	0.00	0.00	0.00	0.00
CRF7160 Interest Income	5,948.98	4,666.67	11,608.57	9,333.30	56,000.00
CRF7210 Grants (New Roadway Proj)	0.00	0.00	0.00	0.00	0.00
CRF7211 Grants (New) TP-Audit	0.00	0.00	0.00	0.00	0.00
CRF7212 Grant (New Town Property)	0.00	20,833.33	0.00	41,666.70	250,000.00
CRF7213 Grants (Existing) RW	0.00	0.00	0.00	0.00	0.00
CRF7220 Grants (New) RW	0.00	178,327.50	8,292.14	356,655.00	2,139,930.00
CRF7223 CDOT Grants (Existing) RW	0.00	0.00	0.00	0.00	0.00
CRF7224 Grants (Existing) Town Pro	0.00	0.00	0.00	0.00	0.00
CRF7238 Other Contributions	0.00	0.00	0.00	0.00	0.00
CRF7270 Lease Proceeds Verizon Tower	1,000.00	1,000.00	1,000.00	2,000.00	12,000.00
CRF7280 Capital Lease Proceeds	0.00	0.00	0.00	0.00	0.00
CRF7285 1% Sales Tax from General Fund	24,724.23	38,381.25	60,014.87	76,762.50	460,575.00
CRF7290 Misc. Sales	0.00	0.00	0.00	0.00	0.00
CRF7300 Tennis Court Donation Fund	0.00	0.00	0.00	0.00	0.00
CRF7805 Grants (Existing) Town Property	0.00	0.00	0.00	0.00	0.00
CRF7810 Transfers From General Fund	0.00	38,333.37	0.00	76,666.30	460,000.00
<b>Total Income</b>	<b>31,673.21</b>	<b>281,542.12</b>	<b>80,915.58</b>	<b>563,083.80</b>	<b>3,378,505.00</b>
<b>Expense</b>					
CRF8215 Office Supplies/Bank Fees	0.00	0.00	0.00	0.00	0.00
CRF9011 CIP Roadway (Existing)	0.00	25,833.33	0.00	51,666.70	310,000.00
CRF9012 CIP Town Property (Existing)	0.00	33,750.00	9,782.00	67,500.00	405,000.00
CRF9013 CIP Equipment (Existing)	0.00	0.00	0.00	0.00	0.00
CRF9014 Equipment Debt Service	0.00	930.75	1,861.48	1,861.50	11,169.00
CRF9016 Building Debt Service	0.00	0.00	0.00	0.00	0.00
CRF9025 CIP Roadway (New)	0.00	189,660.87	0.00	379,321.30	2,275,930.00
CRF9026 CIP-Town Property (New)	0.00	23,958.33	0.00	47,916.70	287,500.00
CRF9027 CIP-Equipment (New)	29,140.00	4,416.67	29,140.00	8,833.30	53,000.00
CRF9101 Improvements-Design	10,039.42	3,750.00	7,539.42	7,500.00	45,000.00
<b>Total Expense</b>	<b>39,179.42</b>	<b>282,299.95</b>	<b>48,322.90</b>	<b>564,599.50</b>	<b>3,387,599.00</b>
<b>Net Income</b>	<b>-7,506.21</b>	<b>-757.83</b>	<b>32,592.68</b>	<b>-1,515.70</b>	<b>-9,094.00</b>

9:54 AM

03/10/25

Accrual Basis

**Town of Westcliffe**  
**CTF Profit & Loss Budget Performance**  
February 2024

---

	<u>Feb 24</u>	<u>Budget</u>	<u>Jan - Feb 24</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Income</b>					
7000 · State Lottery Income	0.00	458.33	0.00	916.70	5,500.00
7050 · Interest Income	189.35	6.83	390.86	13.70	82.00
<b>Total Income</b>	<u>189.35</u>	<u>465.16</u>	<u>390.86</u>	<u>930.40</u>	<u>5,582.00</u>
<b>Gross Profit</b>	189.35	465.16	390.86	930.40	5,582.00
<b>Expense</b>					
9001 · Capital Outlay	0.00	4,166.66	0.00	8,333.40	50,000.00
<b>Total Expense</b>	<u>0.00</u>	<u>4,166.66</u>	<u>0.00</u>	<u>8,333.40</u>	<u>50,000.00</u>
<b>Net Income</b>	<u><u>189.35</u></u>	<u><u>-3,701.50</u></u>	<u><u>390.86</u></u>	<u><u>-7,403.00</u></u>	<u><u>-44,418.00</u></u>

**NOTES: NO OPEN CARRY IN TOWN HALL AND NO CONCEALED CARRY OR OPEN CARRY IN COURT.**

**TOWN OF WESTCLIFFE, COLORADO  
ORDINANCE # 2-2025**

**AN ORDINANCE OF THE TOWN OF WESTCLIFFE ENACTING AN ADDITIONAL CHAPTER 9 –  
FIREARMS IN PUBLIC BUILDINGS, OF TITLE 5 OF THE WESTCLIFFE MUNICIPAL CODE**

**WHEREAS**, the Town of Westcliffe (“Town”), Colorado is a statutory town incorporated under the laws of the state of Colorado; and

**WHEREAS**, pursuant to Colorado Revised Statutes (C.R.S.) § 31-15-103, the Town acting by and through its Town Board of Trustees (BOT) has the power to make and publish ordinances not inconsistent with the laws of the State of Colorado and proper to provide for public health, safety, and welfare, and pursuant to C.R.S. §18-9-117(a), the BOT has the duty and authority to establish regulations to administer, protect, and maintain local government buildings and property; and

**WHEREAS**, on May 7, 2024, the Colorado General Assembly passed Senate Bill 24-131, which prohibits the carrying of firearms in sensitive places as recognized by the United States Supreme Court in the case of New York State Rifle and Pistol v. Brown, 597 U.S. 1 (2022), and promulgated in C.R.S. §18-12-105.3, which prohibits the carrying of firearms in government buildings; and

**WHEREAS**, C.R.S. §18-12-105.3(4)(b) permits the Town to adopt this Ordinance not inconsistent with state law permitting the lawful carrying of firearms in local government buildings. C.R.S. §18-12-105.3(4) states:

(b) A LOCAL GOVERNMENT MAY ENACT AN ORDINANCE, REGULATION, OR OTHER LAW THAT PERMITS A PERSON TO CARRY A FIREARM AT PLACE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION.

**WHEREAS**, pursuant to C.R.S. §18-12-105.3(4)(b), the BOT shall permit a person who holds a valid permit to carry a concealed handgun to carry a concealed handgun in a government building as defined in C.R.S. §18-12-105.3(1)(b) within the municipal jurisdiction of the Town of Westcliffe, unless otherwise prohibited by law or lawful order of a law enforcement officer; and

**WHEREAS**, the authority of this Ordinance extends to all parts of the incorporated town of Westcliffe, Colorado, but does not extend to any unincorporated area within Custer County.

**WHEREAS**, the BOT finds that the passage of this Ordinance promotes the health, safety, and welfare of and is in the best interests of the Town of Westcliffe.

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

1. **Addition of Title 5, Chapter 9 – Dangerous Weapons in Public Buildings and Spaces, of the Municipal Code.** Title 5, Chapter 9, of the Municipal Code is added as follows:

Chapter 9 – Firearms in Public Buildings and Spaces

5-9-1. – Firearms, Exceptions.

- A. The Town of Westcliffe hereby prohibits the open carry of firearms in any building described in C.R.S. §18-12-105.3(1)(b).
  - B. The Town Code shall not be construed to forbid any individual holding a valid concealed carry permit issued pursuant to C.R.S. § 18-12-201, et seq., to carry a concealed handgun within the Town of Westcliffe or any area or building described in C.R.S. §18-12-105.3(1)(b). The Town hereby opts out of the enforcement of C.R.S. §18-12-105.3, et seq., regarding concealed weapons pursuant to C.R.S. §18-12-105.3(4)(b).
  - C. **Municipal Court Prohibition.** Notwithstanding any other provision of this Section 5-9-1., carrying a firearm, whether loaded or not loaded, in a building or portion of a building, including adjacent parking areas, used for municipal court proceedings (1) while municipal court is in session, or (2) while law enforcement personnel, defense counsel personnel, or municipal court personnel are engaged in any activities in connection with a municipal court proceeding remains prohibited by state statute, except nothing in the Town Code shall be construed to forbid United States Marshals, Sheriffs and his/her Deputies, constables and their deputies and any regular, special or ex officio police peace officers or law enforcement officers from carrying or wearing, while on duty, such weapons as shall be necessary in the proper discharge of their duties.
2. **Incorporation.** The recitals set forth above are incorporated and ordained as if set forth in this section in full.
  3. **Addition of Title 5, Chapter 9, of the Municipal Code.** Title 5, Chapter 9, of the Code is hereby added in the form described above.
  4. **Publication.** Upon approval this Ordinance shall be published on the Town’s official Website in full for not less than 30 days.



5. **Authentication and Filing.** Upon passage this Ordinance shall be authenticated by the Mayor and Town Clerk and maintained by the Town Clerk in such form as is sufficient to assure reasonable access by the public. Failure to authenticate any ordinance shall not invalidate it or suspend its operation.
  
6. **Severability.** If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the ordinance which can be given effect without the invalid portion or application, provided such remaining portions or applications are not determined by the court to be inoperable.
  
7. **Effective Date.** This Ordinance shall become effective and be in full force and effect thirty (30) days after final publication.

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 MAJORITY VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 18<sup>th</sup> DAY OF MARCH, 2025.

TOWN OF WESTCLIFFE

By: \_\_\_\_\_  
Paul Wenke, Mayor

ATTEST:

\_\_\_\_\_  
Erin Christie, Town Clerk

## Chief Judge Directive 18-05

### Concerning the possession of weapons in the courthouses of the 11<sup>th</sup> Judicial District:

Courts have the inherent power to regulate their own environment to provide for the safe and effective administration of justice, to perform their duties efficiently and to safeguard their own dignity, independence and integrity. This inherent power is derived from the Constitutional establishment of the courts as one of three co-equal branches of government. It is independent of, and exists regardless of any statutory authority. See Article III, Colorado Constitution; *Pena v. District Court* 681 P.2d 953 (Colo.1984). This inherent power specifically includes the ability to make orders providing for the safety and security of the court. *Board of County Commissioners of Weld County v. 19th Judicial District*, 895 P.2d 545 (Colo.1995). The Chief Judge of a judicial district has the authority to enter such orders as may be needed to provide for the security and safety of the court. Chief Justice Directive 95-01; *Board of County Commissioners, supra, People ex rel Sullivan v. Swihart*, 897 P.2d 822 (Colo.1995).

The orders set forth in the Chief Judge Directive are necessary to establish and implement security measures for the protection and safety of court staff, litigants, witnesses, jurors, attorneys and anyone else spending time in or near the courthouses of the 11<sup>th</sup> Judicial District.

### Therefore it is Ordered:

Except as expressly provided in this Directive, no person shall enter or remain in any courthouse of the 11<sup>th</sup> Judicial District with any firearm, knife or other instrument or agent of potential harm.

In Custer County, due to the building also housing County offices, this prohibition applies to the hallway immediately adjacent to the courtroom, the lobby in front of the clerk's window and the probation office. It does not apply to other parts of the building.

All persons entering any courthouse in the 11<sup>th</sup> Judicial District may be subject to security screening and search of their person and any belongings that they intend to bring into the courthouse. Any weapons found will be seized and held by security personnel. Unless the weapon or possession of the weapon is illegal, the weapon will be returned to the person upon their departure from the courthouse.

All law enforcement officers engaged in the actual performance of their duties are excepted from these Orders. However, whether such persons are allowed into any courtroom in possession of any firearm or other weapon shall be in the sole discretion of the judicial officer presiding in that courtroom. Prior authorization from the presiding judicial officer is required. This provision applies not only to law enforcement officers, but also to attorneys. Law enforcement officers who are present in a courthouse for any proceeding in which they, close friends or members of their family are litigants are not deemed to be in actual performance of law enforcement duties.

Firearms or weapons used for purposes of evidence presentation are exempt from this order as long as they are made safe prior to their presentation.

Judicial officers are exempt from this prohibition.

Copies of this Order shall be immediately distributed upon request.

Signs with the following content shall be prominently displayed at the main entrance to each courthouse:

BY ORDER OF THE CHIEF JUDGE OF THE ELEVENTH JUDICIAL DISTRICT, AND IN ORDER TO ENSURE THE SAFETY OF ALL PERSONS USING THIS BUILDING, FIREARMS AND OTHER WEAPONS ARE NOT ALLOWED IN THE COURTHOUSE. THOSE SEEKING TO ENTER THE COURTHOUSE SHALL BE SUBJECT TO SCREENING AND SEARCH OF THEIR PERSON AND POSSESSION FOR FIREARMS, KNIVES AND ANY OTHER INSTRUMENTS OR AGENTS OF POTENTIAL HARM. IF YOU HAVE ANY SUCH ITEMS WITH YOU, PLEASE RETURN THEM TO YOUR MOTOR VEHICLE OR OTHERWISE SECURE THEM BEFORE ENTERING THE COURTHOUSE.

Violation of this Order could subject the violator to criminal prosecution and contempt of court proceedings.

Done in Salida, Colorado on September 6, 2018

*/s/ Patrick W. Murphy*, Chief Judge, 11<sup>th</sup> Judicial District

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

Office of the Town Clerk  
P.O. Box 406  
Westcliffe, CO. 81252  
[townclerk@townofwestcliffe.com](mailto: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 (10) 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: Debbie Adams

Organization, if speaking on behalf of a group: Custer County Tourism

Is this a request for Board action?  Yes  No

Please provide a summary of your comments:

Sharing what Tourism is doing  
and what assistance we need  
from Town of Westcliffe

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

Erin

Contact information:

Name: Debbie Adams  
Mailing Address: PO Box 1227 81252  
Westcliffe, CO 81252  
email: custertourism@gmail.com  
Daytime Phone: 303-579-2910

TOWN OF WESTCLIFFE  
REQUEST TO BE PLACED ON AGENDA

Office of the Town Clerk  
P.O. Box 406  
Westcliffe, CO. 81252  
[townclerk@townofwestcliffe.com](mailto:townclerk@townofwestcliffe.com)  
719-783-2282

X 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 (10) 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: SHELLY LARSON OR PROXY

Organization, if speaking on behalf of a group: TRAILS FOR ALL

Is this a request for Board action? Yes  No

Please provide a summary of your comments:

TRAILS FOR ALL "CELEBRATE TRAILS DAY"  
COMMUNITY HIKE FROM SILVER CLIFF  
TOWN PARK TO BLUFF VIA PARK 2 PARK  
TRAIL & BACK + OTHER TFA PLANS FOR 2025.

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

ERIN CHRISTIE, FORMS PROVIDED & GENERAL  
INFO ON THE HIKE, WOULD LOVE A PUBLIC  
OFFICIAL (OR TWO) TO ~~REPRESENT~~ / SHOW UP  
REPRESENT

Contact information:

Name: SHELLY LARSON  
Mailing Address: PO BOX 386 / TRAILS FOR ALL  
WESTCLIFFE CO 81252

email: slarson@trailsforall.co  
Daytime Phone: 707-799-6306

02/25/25



# FREE COMMUNITY HIKE

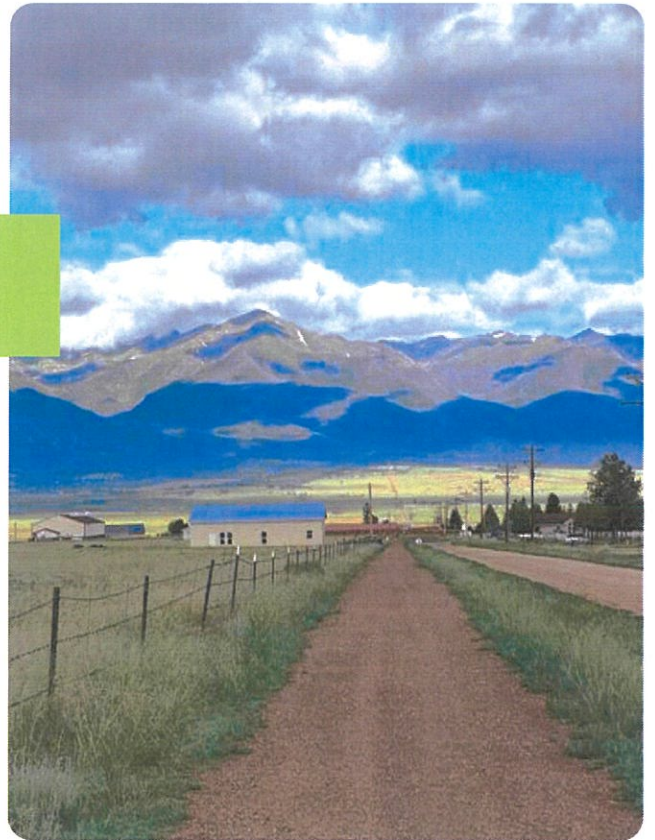
## Celebrate **Trails** Day

powered by rails to trails conservancy

**April 26, 2025**  
**10:30am - 2:30pm**

Silver Cliff Community Park  
to Bluff Park & Back (4.4 miles)

All Ages & Pets on Leash Welcome  
Rain or Shine • Bring Your Water Bottle



*Join us in celebrating the Park to Park Trail in Silver Cliff & Westcliffe*

### 10:30AM MEET UP

Silver Cliff Community Park  
Park on 4th Street • Assemble at the Flag Court

### 12:00PM - 1:15PM LUNCH "HALFTIME"

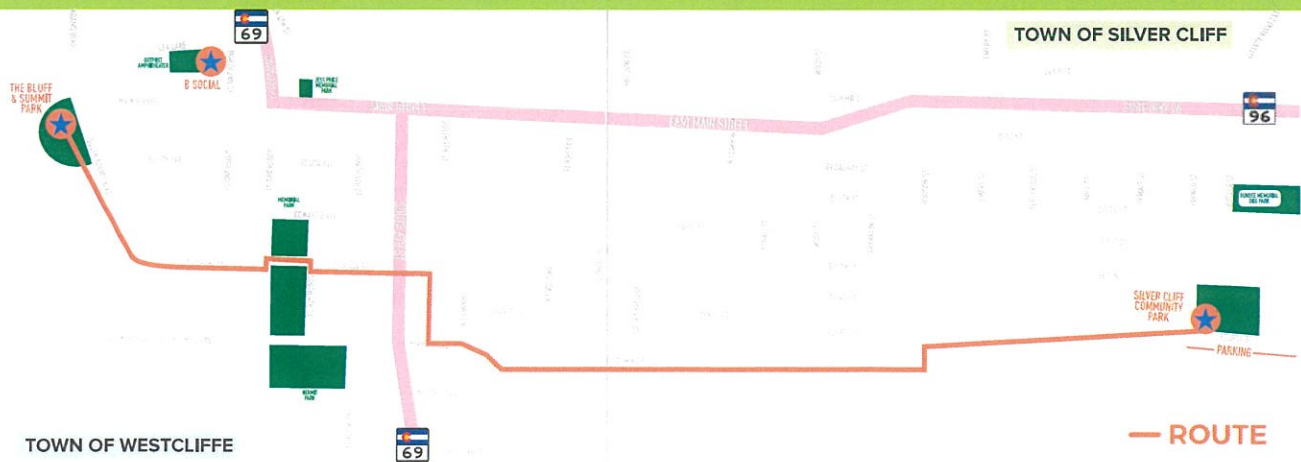
Food & beverages available for purchase  
B Social • 116 N 2nd St + Fun Games

### 10:45AM - 11:45AM HIKE

Hike 2.2 miles on the Park to Park Trail to Bluff Park  
See Trails for All's NEW Trailer

### 1:30PM - 2:30PM HIKE

Meet at Bluff Park and reverse the 2.2 mile hike  
back to Silver Cliff Community Park



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

Office of the Town Clerk  
P.O. Box 406  
Westcliffe, CO. 81252  
[townclerk@townofwestcliffe.com](mailto: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 (10) 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: Jeremiah Coleman

Organization, if speaking on behalf of a group: Wet Mountain Fire Protection District

Is this a request for Board action?      Yes    No   

Please provide a summary of your comments:

I would like to present some of our past years call stats to the board and give some  
info on things that are planned for this year within our department

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

N/A

Contact information:

Name: Jeremiah Coleman  
Mailing Address: 215 N 4th St, Westcliffe Co 81252

email: wmfpdchief@gmail.com  
Daytime Phone: 719-783-9245

TOWN OF WESTCLIFFE  
REQUEST TO BE PLACED ON AGENDA

Office of the Town Clerk  
P.O. Box 406  
Westcliffe, CO. 81252  
[townclerk@townofwestcliffe.com](mailto:townclerk@townofwestcliffe.com)  
719-783-2282

X 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 (10) 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: Janet Smith, Marci Gregg

Organization, if speaking on behalf of a group: St. Luke's Episcopal Church

Is this a request for Board action? Yes  No

Please provide a summary of your comments:

St. Luke's would like to discuss with the Board of Trustees steps that could be taken to improve safe access to the church, which is used daily by various groups.

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

Contact information:

Name: Janet Smith  
Mailing Address: PO Box 1051  
Westcliffe, CO 81252  
email: jsmithhawk@gmail.com  
Daytime Phone: 843-384-1450



**EMPLOYMENT AGREEMENT**  
**Westcliffe Town Attorney**

**THIS EMPLOYMENT AGREEMENT** ("Agreement") is made this \_\_\_\_ day of February, 2025, by and between the TOWN OF WESTCLIFFE (the "Town"), a statutory municipal corporation organized pursuant to Article XX of the Colorado Constitution, and Clayton M. Buchner, PO Box 3855, Pagosa Springs, Colorado ("Employee") (collectively, the "Parties"). This Agreement supersedes any prior employment agreements, written or verbal.

**WITNESSETH**

**WHEREAS**, the Town was organized and exists pursuant to the laws of the State of Colorado to provide municipal services for the benefit of its inhabitants and taxpayers; and

**WHEREAS**, the Town is in need of a Town Attorney; and

**WHEREAS**, Clayton M. Buchner is a duly licensed attorney in the State of Colorado, and Clayton M. Buchner is willing and able to serve as Town Attorney;

**WHEREAS**, the Town Attorney shall be appointed by the Board of Trustees of the Town of Westcliffe subject to the Terms of this Agreement; and

**WHEREAS**, the Town desires to set forth the terms of Employee's employment as the Town Attorney through this Agreement, to make provisions for certain benefits, to establish certain conditions of employment and to set working conditions therefore; and

**WHEREAS**, the Employee desires to accept the appointment as Town Attorney pursuant to the terms of this Agreement.

**THEREFORE**, in consideration of the mutual undertakings contained in this Agreement, the Town and Employee agree as follows:

1. Job Responsibilities.

a. The Employee shall perform all duties of the Town Attorney for WESTCLIFFE required by Constitution, statute, or ordinance, and shall perform other legal services as requested by the Town Board or by such Town officers or employees as designated by the Town Board (the "Legal Services" as specified herein and in **Exhibit A: Scope of Work/Duties**). The Legal Services include all necessary court appearances, legal research, investigation, correspondence, preparation of legal documents, trial preparation, appeals to Municipal and District Court, and all related work required to properly represent the Town.

b. This Agreement requires the Employee represent the Town with respect to the above subject matter only. Any other matters, except those incidental to and necessarily included with the Scope of Work, must be the subject of a separate agreement between the Employee and the Town.

c. The Employee will not provide any additional Legal Services on behalf of or to the Town other than those specified above without first consulting with the Town and obtaining authorization from the Town.

2. No Guaranteed Result. The Employee agrees to use their best efforts in representing the citizens of Westcliffe in this matter. However, the Town recognizes the Attorney cannot guarantee a particular outcome of any matter.

3. Term. Subject to the annual budget of the Town and the appropriation of funds related to the this Agreement, the services to be performed by the Attorney shall begin upon full execution of this Contract and shall terminate upon resignation or removal of the Attorney. The terms of this Agreement will be reviewed no later than December 31, 2026, unless the Employee is sooner terminated as hereinafter provided. This Agreement may be extended at the end of the initial term for an additional term of two (2) years through Resolution, upon mutual agreement of the parties.

4. Outside Activities. Employment as the Town Attorney is not considered as Employee's sole and exclusive employment. Employee may engage in outside employment that does not create a conflict with Employee's position.

5. Compensation and Payments. As a base annual salary (excluding employer-provided benefits), the Town agrees to pay the Employee for the services herein described the sum of \$??, ??? per annum, payable in near-equal installments on a bi-weekly basis, less necessary or agreed upon withholding for state and federal taxes and other deductions as applicable.

6. Leave. Under the provisions of this Agreement, the Employee shall not receive Personal Time Off (PTO), Holiday benefits, or any other paid leave benefits.

7. Additional Employee Benefits. The Town additionally agrees to budget for and/or reimburse the Employee for the following additional items:

- a. Health Insurance. The Employee is not eligible to participate in the Town's health plans.
- b. Life Insurance. The Employee is not eligible to participate in the Town's life insurance.

8. Retirement Benefits. The Employee is not eligible to participate in any of the Town's defined retirement contribution plans.

9. Deferred Compensation Plan. The Employee is not eligible to participate in the Town-sponsored 457 Deferred Compensation Plan, if any.

10. Mileage and Travel Costs. The Employee will receive reimbursement for mileage to and from Employee's home of record, Pagosa Springs, CO, to Westcliffe, CO, for official business at 90% of the prevailing IRS rate. Employee will receive per diem and lodging, meals, and incidentals as set by the General Services Administration for the County of Delta, Colorado.

11. Performance Evaluation. The Town may perform an annual performance review and evaluation of the Employee at the Town's first regular meeting in December. The evaluation process shall provide opportunity for the Trustees to prepare written evaluations of the Employee's performance, the Parties to meet

and discuss the evaluations and goals, and the Town to prepare a written summary of the evaluation results to be delivered to the Employee.

12. Termination. Either party has the right to terminate this agreement, with or without cause, immediately upon written notice to the other party. Such notice shall be delivered at least thirty (30) days prior to the termination date contained in said notice unless otherwise agreed in writing by the parties. Upon such termination, the Employee shall be paid for Legal Services rendered and costs and expenses incurred prior to the date of termination. Such payment shall be the Employee's sole right and remedy for such termination.

13. Resignation. The Employee may voluntarily resign his employment with the Town upon at least thirty (30) days advance written notice; provided, however, that the Town may require the Employee to discontinue his employment sooner than the full thirty days in the interest of the Town. Voluntary resignation shall be without entitlement to severance benefits, if any.

14. Miscellaneous.

a. Entire Agreement/Merger/Severability. This Agreement constitutes the entire agreement of the Parties and a complete merger of prior negotiations and agreements. If any court of competent jurisdiction declares any provision of this Agreement invalid or unenforceable, the remainder of the Agreement shall remain fully enforceable. The court shall also have the authority to reform such unenforceable or void provision(s) so as to render the provision enforceable.

b. Governing Law. This Agreement shall be governed by the laws of the State of Colorado. Neither Party shall have a right to assign this Agreement, or enforce any other change, deletion, or addition or amendment, except as such assignment, or change, or amendment is agreed to in writing by both Parties.

c. Date of Signatures not Effective Date. Notwithstanding the date this Agreement is actually signed by any Party this Agreement is intended to and shall be effective as of \_\_\_\_\_, \_\_, 2025.

**IN WITNESS WHEREOF**, the TOWN OF WESTCLIFFE has caused this Agreement to be signed and executed on its behalf by the Mayor of the Board of Trustees and the Employee has signed and executed this Agreement, both in duplicate, as of the day and year first above written.

TOWN OF WESTCLIFFE

By:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Town Clerk

EMPLOYEE

By:

\_\_\_\_\_  
Clayton M. Buchner

## EXHIBIT A

### Summary

The Attorney shall perform all duties of the Town Attorney for WESTCLIFFE required by Constitution, statute, or ordinance, and shall perform other legal services as requested by the Town Board or by such Town officers or employees as designated by the Town Board. Without limiting the foregoing, the Attorney's duties shall include:

- Attend all regular Town Board meetings whenever possible, via Zoom or other live streaming service suffices, to provide counsel on legal issues and attend other meetings as assigned by the Mayor or Board of Trustees. Three times a year or per request of the BOT, an in-person meeting is requested at the rate listed in Section 6 of this contract, and at other times as the BOT requests such meeting be attended in person.
- Ensure acknowledgement of receipt of correspondence from Town Trustees or staff within 24 hours with confirmation of an estimated timeline of resolution of the issue.
- Act as legal advisor to and counsel for the Mayor, Board of Trustees, Town Boards/Commissions, and Town Administrator/Department Heads of the Town of WESTCLIFFE.
- Provide guidance on personnel matters, including employee disciplinary and grievance matters.
- Draft, review, or present agreements, bonds, contracts, ordinances, resolutions, and other written instruments pertinent to Town functions or that will be considered by the Town Board, Town Administrator, and Town Staff and provide a legal opinion as necessary as to the consequences of such documents.
- Provide counsel regarding land use rights and the ability to draft, review, and present legal documents relating to acquisitions, easements, variances, rights of way, and other land uses.
- Provide counsel for general municipal procedures and requirements, including without limitation, counsel to the Board of Trustees, Town Boards/Commissions and staff on compliance with the Colorado Open Meetings Law, the Colorado Open Records Act, liquor licensing laws, and municipal election law.
- Enforce Town codes, zoning regulations, and building standards through administrative and judicial actions and municipal court prosecution services.