

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
TUESDAY JUNE 18, 2024
REGULAR MEETING**

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CALL TO ORDER

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

ROLL CALL

The following members were present: Mayor Wenke, Mr. Mowry, Mr. Dembosky, Mr. Nordyke, and Mr. Wilhelm. Zoom-Mr. Fulton

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance.

OTHERS PRESENT

Travis Roundtree, Michael Nuanes, Charles Jagow, Don Cook, Bianca Trenker, Vince Delillo, Vanessa Cruz, Bonnie Wagne, Kathy Reis, Zoom-Caleb Patterson, Attorney Clay Buchner

TREASURER’S REPORT

	REVENUE RECEIVED	BALANCE OF ACCOUNTS
General Fund Checking:	\$ 110,728.78	\$ 196,494.92
CSafe-GF Core 11:	\$ 2,601.34	\$ 563,744.30
CSafe-3% Tabor Reserve 13:	\$ 221.56	\$ 47,988.46
CSafe-General Fund Reserve-14	\$ 1,825.22	\$ 395,540.92
CSafe-Tennis Ct.-Core-16	\$ 200.40	\$ 20,673.24
Tennis Court Checking:	\$ 0.00	\$ 5,178.70
Municipal Court Checking:	\$ 0.00	\$ 2,407.70
Conservation Trust Fund Checking:	\$.42	\$ 10,020.25
CSafe-CF Core 15	\$ 200.40	\$ 43,411.94
Capital Fund Checking:	\$ 38,547.18	\$ 149,479.76
CSafe-CF Core 12:	\$ 7,779.08	\$ 1,685,903.72

EXPENDITURES FOR MAY 2024:

GENERAL FUND:	\$	86,989.24
MUNICIPAL COURT:	\$	0.00
TENNIS COURT:	\$	0.00
CONSERVATION TRUST FUND:	\$	0.00
CAPITAL FUND:	\$	61,445.46

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes – May 21 Regular Meeting and June 12, 2024 Special Meeting
- b. Treasurer’s Report
- c. Approval of Bills

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

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OLD BUSINESS

None

NEW BUSINESS

a. Consideration of a request to officially give direction and intent regarding what concerns will be addressed at the Lodging Ordinance workshop. Bianca Trenker.

Bianca Trenker requested that the town legal, manager, and board establish an official and clear purpose for the workshop. At a previous meeting, the ordinance was introduced. The discussion was that it was for the safety and well-being of the guests and legal liability that the Town had something in place and to show the Town had done its due diligence to get something in place.

The concerns were that the ordinance was far-reaching and logistically impossible timeline-wise.

She would like the ordinance set aside until we can address the direction and purpose, starting with a reasonable, smaller, and more accomplishable requirement.

Another concern is that the next four to five months are the entire year for us, and we will be working from 7:00 a.m. to 9:00 p.m. This leaves one month before we are supposed to submit applications, and by the end of January, this is all supposed to be put in place.

Due to all the local, state and international codes stated, this is not logistically possible. She suggested walking through it and then putting in a buffer time that is then requested. Twelve to eighteen months may be more accomplishable for something very small.

She would like the Town Manager, Town Legal, and the Town Board to agree on the workshop agenda. She also asked that an email notification with the receipt required be put in place for notifying the lodging owners.

She asked for a list of minimum requirements you would like. She suggested three lines:

1. Smoke detectors, carbon monoxide detectors, and fire extinguishers.
2. Commercial insurance in place.
3. Pay the required fees, and if there are any complaints about mold, etc., we need to come in and address them.

Michael Nuanes did not want any more regulations and asked who would be doing the inspections.

After hearing concerns from other lodging owners about being regulated in many different aspects. The Board of Trustees directed the town manager to set the ordinance aside and schedule a workshop for mid to the end of October, notifying the owners two to three weeks in advance.

Mayor Wenke said the board is concerned about health and safety. This is a draft ordinance; it may be broader than necessary. The new ordinance may be fashioned after what comes out of the workshop.

b. Schedule a workshop for the proposed Lodging Ordinance. Caleb Patterson

The board instructed Manager Patterson to contact all the lodging owners and give them two to three weeks' notice to schedule a workshop mid to the end of October. The workshop will include the town attorney, the Board of Trustees, and Manager Patterson. Mr. Dembosky, Mr. Mowry, Mr. Wilhelm and Mr. Fulton will attend.

NEW BUSINESS CONTINUED

c. Consideration of applying for a DOLA More Housing Now and Land Use Initiative grant. Caleb Patterson

Manager Patterson reminded the board what the grant was for, which was discussed in the workshop. He will be applying for the grant in December.

After questions and further discussion, they agreed to apply for the grant.

ACTION: Mr. Fulton moved, and Mr. Mowry seconded to approve applying for a DOLA More Housing Now and Land Use Initiative grant. Motion carried.

Mayor Wenke asked Town Attorney Buckner to clarify whether Mr. Dembosky and Mr. Wilhelm need to recuse themselves from this project because they are on the Round Mountain and Sanitation District Board.

Attorney Buckner responded that in so far as the interest of the Town and Round Mountain are concurrent the grant money is going to the greater benefit of the community and the town. There is no conflict between Round Mountain and the Town. He didn't think there was a conflict of interest or an appearance of a conflict of interest. Round Mountain would not directly benefit from the grant; they are just the intermediary for this project.

d. Consideration of approving and applying for a DOLA Energy Impact Assistance Fund grant for Housing Needs Assessment. Caleb Patterson

Manager Patterson stated he would ask the Town of Silver Cliff and the County Commissioners to match one thousand dollars each to show county-wide support.

ACTION: Mr. Wilhelm moved, and Mr. Dembosky seconded the approval of applying for a DOLA Energy Impact Assistance Fund grant for the Housing Needs Assessment. Motion carried.

e. Consideration of a request to continue work on the wireless camera system that began in 2019. Travis Roundtree.

Mr. Roundtree requested to continue work on the camera system that he started in 2019 but then stopped because of Covid. Cameras are at Jess Price Park, Memorial Park, Sheriff's station, and Town Hall. The plan is to put additional cameras at the tennis court and the Bluff's Park. He wants to visually inspect the current devices and determine what condition they are in, and to inspect the Town's internet capability. Downstairs at Town Hall, there is a video network recorder connected to the internet to access the camera footage, but it is not functional. Mr. Roundtree expressed concern over the possibility that if the cameras recorded a crime in progress, he could be asked to testify in Court because he is the custodian of the data.

To address Mr. Roundtree's concern, Town Attorney Buchner stated that video evidence is not easily challenged, and if by chance the video custodian would be called into Court, it would only be to lay the foundation of evidence as someone familiar with the video technology. Town Attorney Buchner also clarified that there is no expectation of privacy in public settings, especially when it is a security camera, so the Town does have the right to have cameras posted in the parks.

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NEW BUSINESS CONTINUED

Town Manager Patterson inquired about whether or not the footage was downloaded to a Cloud server. Mr. Roundtree said that it was not; the footage is on-premise. The Town Manager requested that the current contract be reviewed and possibly add a clause to ensure that no public footage of the Town is downloaded to a Cloud to ensure security.

Mayor Wenke wants to further discuss the issue with the Board and look at alternative options to the camera system before making a decision. He granted Mr. Roundtree's request to inspect the current cameras and devices and to bring the results back to another Board of Trustee's Meeting in July or August.

f. Consideration of approving corrected February 2024 minutes.

Clerk Reis explained that there was an error reported for the General Fund Checking revenue received. It was corrected as \$89,125.69, and the date for the Expenditures should have been 2024.

ACTION: Mr. Wilhelm moved, and Mr. Nordyke seconded to approve the corrected February 2024 minutes. Motion carried.

g. Consideration of an appointment to fill the vacant trustee seat.

Two letters of intent were submitted – Chuck Jagow and Rick Perrent. Mayor Wenke recommended that Chuck Jagow be appointed.

ACTION: Mr. Wilhelm moved, and Mr. Dembosky seconded to appoint Chuck Jagow to fill the vacant trustee seat. Motion carried.

STAFF & COMMITTEE REPORTS

a. Report from Town Manager

He reported that the Jess Price Park project is moving along. Chip sealing will be starting.

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

ADJOURN

Recorded by:
Kathy Reis, CMC
Town Clerk