

- I. CALL TO ORDER

- II. ROLL CALL

- III. REVIEW AGENDA

- IV. CONSENT OF OCTOBER 14, 2014 MINUTES

- V. OLD BUSINESSES
 - a. North Creede/Forest Service Land Swap – Keith Luttrell
 - b. Recommendation – Replat Drawing Options Rio Grande Avenue
 - c. Flume Committee Recommendation – Read Only

- VI. NEW BUSINESS
 - a. Recommendation Resolution 2014-13 Naming Silver Ice Park

- VII. ADJOURN

POSTED 11/7/14

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
October 14, 2014**

REGULAR MEETING

The Planning and Zoning Commission of the City of Creede - a Town, County of Mineral, State of Colorado, met in the Creede Town Hall at the hour of 5:32 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Kay Wyley [arr. 5:36], Eric Grossman, Lauri Jordan, Rex Sheppard
COMMISSIONERS ABSENT: Frank Freer

Commissioner Jordan, presiding, declared a quorum present:

Those members of staff also present were as follows: Clyde Dooley, Town Manager
Randi Snead, Town Clerk/Treasurer

AGENDA

Commissioner Sheppard moved and Commissioner Grossman seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF SEPTEMBER 9, 2014 MINUTES

Commissioner Grossman moved and Commissioner Freer seconded to approve the September 9, 2014 minutes. There were three yes votes and one abstention (Sheppard). Commission Chair Jordan declared the motion carried.

OLD BUSINESS

RECOMMENDATION - REPLAT DRAWING OPTIONS RIO GRANDE AVENUE

Dooley presented the various options available for Rio Grande Avenue. The Commission requested that the Rio Grande Avenue discussion be kept on future agendas for continued discussion.

FLUME COMMITTEE RECCOMENDATION

Some confusion existed regarding the September 9, 2014 recommendation to engage Bohannan Houston for the flume project. Their concrete blanket proposal was discussed at length, and Commission members felt comfortable with their original recommendation.

NEW BUSINESS

FORMER SCHOOL PROPERTY DISCUSSION - WYLEY PARK & PLAYGROUND

The Creede School Board is taking steps towards the sale of the former school grounds and member Damon Gibbons was present to answer questions. A title search is currently underway. The City may own part of the property formerly used for the school. The Planning & Zoning was asked to be prepared for future discussions and decisions depending on the outcome of the title search and a survey.

MCFA ANNEXATION UPDATE

The annexation of the Mineral County Fairgrounds has been prepared. The Board of Trustees authorized Dooley to include the sewer ponds in the annexation, and drafts of all documents have been submitted to the attorney.

ADJOURN

MEMORANDUM OF UNDERSTANDING
BETWEEN MINERAL COUNTY AND THE CITY OF CREEDE

This Memorandum of Understanding ("MOU") is entered into between Mineral County ("County") and the City of Creede ("City") this _____ day of November, 2014 for the purpose of clarifying the positions of the respective parties regarding a proposed land exchange between the County and City and the United State Forest Service ("USFS").

WHEREAS, USFS owns property throughout Mineral County, not in private or public ownership; and

WHEREAS, the City owns approximately eighty (80) acres of land adjacent to the City boundaries in the North Creede area that are undevelopable for municipal purposes; and

WHEREAS, the City needs approximately twenty-eight (28) acres of land on the northwest side of the City boundaries where the City's upper water storage tank is located, installed in 1992; and

WHEREAS, the County needs approximately twenty-five (25) acres of land for its land-fill operations, approximately thirty (30) acres of land for its rifle shooting range and approximately one (1) acre of land for access to a cell tower; and

WHEREAS, USFS has expressed a willingness to give up a portion of the land it owns within Mineral County to effectuate these needs, and

WHEREAS, the County and the City desire to work with the USFS through the Small Tracts Act to exchange land owned by the City for land that the City and the County need; and

WHEREAS, the County and the City wish to coordinate their efforts and work together in negotiating with USFS to effectuate this land exchange.

NOW THEREFORE, the County and the City hereby understand and agree as follows:

1. The parties will work together and cooperate in their negotiations with USFS to effectuate the desired land exchange;
2. This MOU constitutes an agreement to cooperate and does not create any contractual rights, obligations or remedies for either party nor shall the failure to abide by the terms of this agreement by either party be construed to constitute the failure to negotiate in good faith.
3. City's obligations: The City will survey their property and if an agreement is reached, shall dedicate their property to USFS in exchange for the property desired by the County and the City.

For Eric/Bandy after the meetings & negotiating, we should include that as a where

4. County's obligation: The County shall pay the expenses associated with this transaction as required under the Small Tracts Act, including but not limited to any expenses for any USFS application fees, necessary appraisals and any environmental analysis or impact costs and other necessary costs.

ACKNOWLEDGED AND EXECUTED THIS _____ day of November, 2014 by:

City of Creede, Colorado

By: _____
Eric Grossman, Mayor

Mineral County, Colorado

By: _____
Scott Lamb, Chair, Mineral County Board of Commissioners

TRUE MERIDIAN

T. 42 N.
R. 1 W.
Suspected

T. 42 N.
R. 1 E.
Suspected

TOWNSHIP OF
CREEDE
MINERAL COUNTY, COLORADO

Containing 36,520 Acres.

Scale 300 Feet to 1 Inch.

Survey commenced May 23rd 1859

Survey completed June 12th 1859

Amount of Survey { Boundary Lines 2 Mo. 23 Ch. 1/2 Mo.
Containing 36,520 Acres.

Latitude 37° 42' N.

Longitude 105° 41' W.

Mean mag. Incl. 15° 30' N.

This Plan

of the

Township of Creede, Mineral County, Colorado is hereby
certified to be correct in all the particulars of the survey thereof by
H. C. Rowley, U. S. Dep. Surveyor,
under his Special Instructions, dated March 6th 1859,
which have been examined, compared and filed in the office
of the Surveyor General,
Denver, Colo. Aug. 19th 1859.

T. R. Swetlow

1859

AMETHYST TOWNSHIP

Cor. No. 7
Cor. No. 8
Cor. No. 6

Cor. No. 8
Cor. No. 5

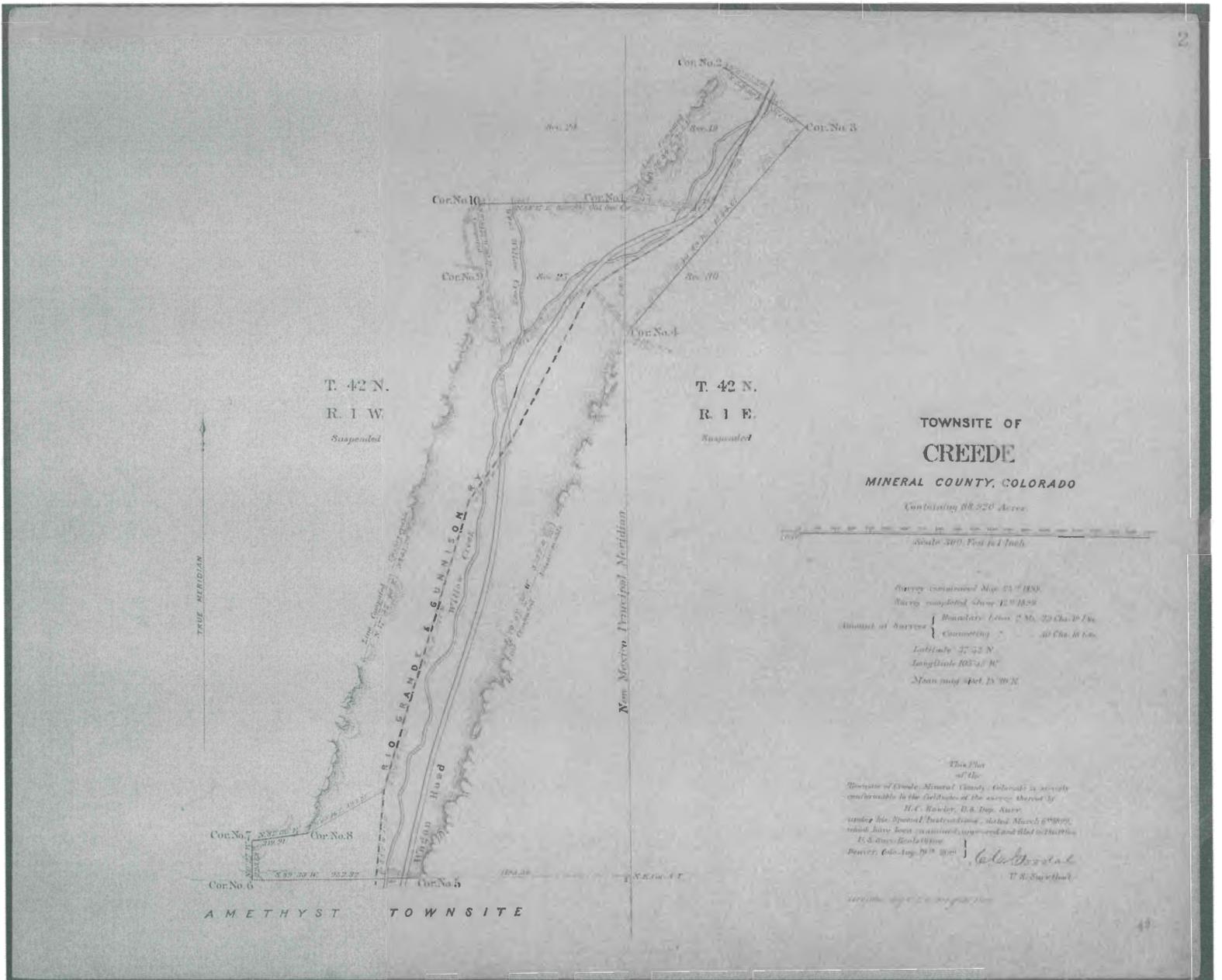
Cor. No. 10
Cor. No. 9
Cor. No. 4
Cor. No. 5

Cor. No. 2
Cor. No. 3
Cor. No. 10
Cor. No. 4

Cor. No. 2
Cor. No. 3
Cor. No. 10
Cor. No. 4

RIO GRANDE
GUNNISON
Hudson Head

From Mexican Principal Meridian



STATE OF COLORADO

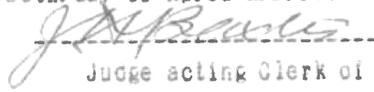
SS.

IN THE COUNTY COURT.

Rio Grande County.

I, J. H. Baxter, County Judge, and acting Clerk of the County Court within and for the County of Rio Grande, State of Colorado, hereby certify that the following attached papers are true and correct copies of all papers and plats filed in this Court, and entries entered of record in this Court, relating to the Incorporation of the Town of Creede.

Witness my hand and seal of said Court, at Del Norte, in said Rio Grande County, this 30th day of April A.D. 1902.



Judge acting Clerk of
the County Court.

January 24, 2014

Mr. Clyde Dooley, City Manager
City of Creede, Colorado
P.O. Box 457
Creede, Colorado 81130

Merrick-McLaughlin Water Engineers
2420 Alcott Street
Denver, Colorado 80211
Tel: +1 303-964-3333
Fax: +1 303-964-3355

www.merrick.com

Dear Clyde:

Attached is our first plan for developing the Rio Grande area between 3rd and 5th Streets.

The primary consideration for this Plan was to avoid requiring any expensive utility relocations. The Rio Grande Avenue ROW is now used for sewer, some water lines, limited residence access, and drainage.

Key features of this Plan include:

1. Return most of the eastern 20 ft. wide strip to the present adjacent land owners.
2. Retain a 30 ft. wide strip for multi-purpose use (sewer, water, access, drainage). This strip is shown on our sketch plan as an easement. However, it would probably be better to plat it as "Rio Grande Lane". Most of the strip could be grass or natural surface.
3. Create three new residential lots.
4. Provide a small tract for stormwater detention and snow storage – or just open space.

The trickiest part of the exercise is to preserve access to the 3 properties with Rio Grande addresses, particularly 306. Numbers 302 and 308 have frontage and access from the adjacent W. 3rd Street and W. 4th Street respectively. Number 306, however, is landlocked except for its access to Rio Grande. We show a gravel lane from W. 3rd Street serving this 306 property much as it does currently. We show a platted hammerhead turn-around with gravel surface at the new end of W. 4th Street. We see no benefit to extending W. 4th Street through to Loma.

We did not check your zoning ordinance to see if the 3 new lots sized as shown will meet the minimum lot size required for whatever zone they are in. You may need to process a companion rezoning of this property at time of platting to keep everything straight.

Implementation of this Plan would require minor storm drainage pipe relocation at the northeast corner, and some regrading.

If this Plan concept is not acceptable, please return comments, and we will try again. It does look to us that any significantly different plan would result in extensive utilities relocations.

If this Plan is acceptable, we can furnish a preliminary plat layout to Davis to prepare a replat. We will also prepare a grading plan along with sketch designs of the drainage modifications.

Respectfully submitted,
McLaughlin Water Engineers,
a Division of Merrick and Company

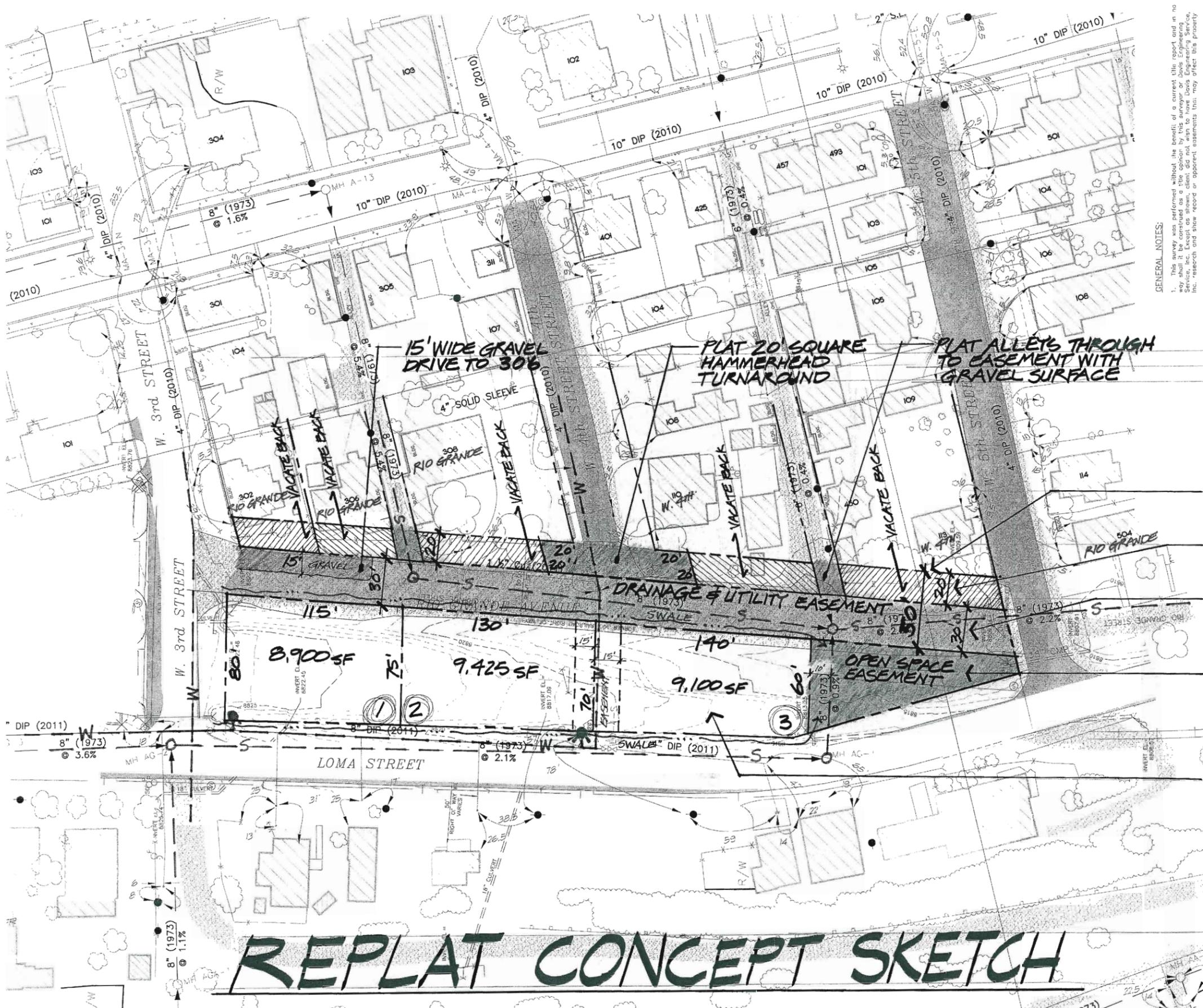


Ronald C. McLaughlin, P.E. & L.S.



Clay Wade, R.L.A.

Enclosure: Preliminary Plans



REPLAT CONCEPT SKETCH

GENERAL NOTES:

- This survey was performed without the benefit of a current title report and in no way is intended to constitute an opinion as to the validity of any recorded instrument or the accuracy of any plat or map. The surveyor is not responsible for any errors or omissions in this survey or for any consequences that may result therefrom. The surveyor's only liability is for the accuracy of the survey data and the accuracy of the survey instrument. The surveyor is not responsible for any errors or omissions in this survey or for any consequences that may result therefrom. The surveyor's only liability is for the accuracy of the survey data and the accuracy of the survey instrument.
- Professional Land Surveyor. The use of the words "surveyor" or "certification" by a Licensed Professional Land Surveyor constitutes an expression of professional opinion regarding the facts and findings which are the subject of the certification, and does not constitute a warranty or guaranty, either expressed or implied. (per Colorado State Board Rule No. 6.2.2)

SURVEYORS CERTIFICATE:

I, KEITH L. LUTTRELL, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OR MAP WAS PREPARED FROM NOTES OF AN ACTUAL FIELD SURVEY AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL SURVEYORS ASSOCIATION OF COLORADO AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL SURVEYORS ASSOCIATION OF COLORADO AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL SURVEYORS ASSOCIATION OF COLORADO AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL SURVEYORS ASSOCIATION OF COLORADO.

FOR AND ON BEHALF OF
DAVIS ENGINEERING SERVICE, INC.



- ORIGINAL 50' WIDE RIO GRANDE R.O.W.
- VACATE 20' WIDE BACK TO ADJACENT PROPERTY
- RETAIN 30' WIDE PUBLIC EASEMENT - DRAINAGE & UTILITY
- PUBLIC EASEMENT: OPEN SPACE, DRAINAGE, UTILITY, DETENTION POND, SNOW STORAGE
- 3 NEW LOTS

LEGEND:

Lot Lines	Check and Fence
Split Row Fence	Overhead Electric w/ poles
Underground Electric w/ poles	Gas line w/ meter
Underground Telephone	Underground Fire
Underground Electric	Underground Electric
Sanitary Sewer w/ manhole	Storm Drain w/ manhole
Gravel/Drill	Asphalt

MERRICK & COMPANY
McLaughlin Water Engineers
A Division of Merrick & Company

Merrick-McLaughlin Water Engineers
2420 Alcott Street
Denver, Colorado 80211
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Fax: +1 303-964-3355
www.merrick.com

PRELIMINARY

REVISIONS

NO.	DATE	DESCRIPTION

CLIENT

DAVIS ENGINEERING SERVICE, INC.
ALAMOSA, COLORADO 81601
P.O. BOX 1640
ALAMOSA, COLORADO 81601
PHONE: (719) 589-3712
FAX: (719) 589-3712

NOTES: Accuracies to Colorado may vary. METR COMMERCIAL may legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than five years from the date of the certification shown herein.

01/23/2014

To: Planning & Zoning Commission, Board of Trustees,

The Flume Committee met on 10/27/14 and discussed the issues raised at the 10/7/14 BOT meeting and chose to clarify our recommendations. Various members of our community and the Flume Committee have spent many hours gathering information on possibilities for the flume. The table below compares the options that the flume committee deemed most viable:

OPTION	McLaughlin	McLaughlin	Bohannon Houston	NRCS (Least Expensive Option)
GENERAL DESCRIPTION	Remove damage, 12" Reinforced Concrete Slab, 12" Curb at each groin	Install 12" Curb at each groin (More comprehensive design report and cost estimate required for this proposal.)	Shotcrete Damage Repair & Concrete Blanket Liner Along Groin	Lined Trapezoidal Channel Replacement
REPAIR/REPLACEMENT	Replacement	Repair	Repair	Replacement
TOTAL EST. COST	\$2,047,150*	\$1,187,900*	\$618,484	\$4,019,418*
EST. LIFE EXPECTANCY	50 yrs	50 yrs	25 yrs	50 yrs
INSTALLATION TIME	Can be done in one season	Can be done in one season	Can be done in one season	Can be done in one season
CAN START?	Fall 2016 (per 10/17/14 Letter, Evaluation, Alternative Comparison, Preliminary Engineering Report required before beginning)	*Also need clarification on whether Merrick is willing to do a similar project.	Fall 2015	Unknown
EASEMENT ISSUES	Yes	Yes	No	Yes
REPAIR/MAINT.	Not addressed, most likely inspections only for many years.	Not addressed.	Can replace small portions of concrete blanket and can most likely be performed locally.	Not addressed, most likely inspections only for many years..
FUNDING REQUIRED	Yes	Yes	Possibly not, but still desired.	Yes
404 Permit Assistance?	Unknown	Unknown	Yes, approx. \$1,000, good working relationship	Unknown
Phased Approach Possible	Unknown	Unknown	Yes, can be done over 2 or even 3 seasons	Unknown

*2014 Dollars Calculated By Inflation Only (Does not account for sharper increases in specific materials, etc.)

The flume committee has reviewed a substantial amount of information in coming to this conclusion. The following information is available in the Info Library at www.creedetownhall.com, under Flume Information:

1989 USACE Feasibility Assessment

2012 USACE Periodic Inspection

2003 NRCS Channel Replacement Feasibility Report

2008 McLaughlin Preliminary Engineering Report

2013 Bohannon Houston Flume Proposal

2013 Bohannon Houston Flume Approach Presentation

Quite a bit of additional historical information and correspondence is available for inspection at Town Hall.

The flume has deteriorated rapidly over the last several years. Based on the current situation of disrepair and need for maintenance we recommend immediate action to address this problem, especially on 1st street, 4th street, and south of 7th street. Damaged areas of the "groin" or toe, i.e., along the water line are now wide enough that ice and water damage have made huge cavernous areas that are in immediate danger of collapsing. Please take a walk to assess this damage for yourself, and please take a look at the forecasted consequences of flume failure in the USACE Feasibility Assessment from 1989. It is the feeling of the Flume Committee that, if a decision cannot be made on one of the above more extensive repairs, that steps be taken immediately to pursue a shotcrete repair beginning in the fall of 2015 at the very latest. Furthermore, the Flume Committee strongly recommends a decision by January to allow plenty of time for seeking funding opportunities, working with the Army Corps of Engineering for permits, and allowing for plenty of time in the event that more than one state or federal government agency has to collaborate.

After extensive discussion and review, the Flume Committee feels confident engaging Bohannon Houston to pursue a repair of the flume using shotcrete or an equivalent cavity fortification method and concrete blankets as demonstrated last fall lengthwise along each groin. This project can be completed in one or two years, is financially feasible, and the firm seems eager to work with our unique challenges.

Respectfully,

The Flume Committee

Kathleen Murphy

Gwen Nelson

Robert Schlough

Kay Wyley

Randi Snead

Resolution 2014-13

Exhibit A

