

REGULAR MEETING

- I. CALL TO ORDER
- II. ROLL CALL
- III. REVIEW AGENDA
- IV. CONSENT AGENDA
 - a. Approve/Disapprove January 20, February 2, & February 16, 2016 Minutes
 - b. Review/Consent of February 2015 Check Detail Report [Updated Avail 3/1]
 - c. Approve/Disapprove March 1, 2016 Unpaid Bills Report [None Avail]
 - d. Approve/Disapprove MJ's Buffet, LLC Liquor License Renewal
 - e. Approve/Disapprove Arp's LLC Liquor License Renewal
 - f. Approve/Disapprove UGMM Liquor License Renewal
 - g. Approve/Disapprove Payment of ½ LWCRCo Expenses for 2016
 - h. Approve/Disapprove Support Letter MDS Recycling
- V. REPORTS & PRESENTATIONS
 - a. Public Works Report - Ben Davis (verbal)
 - b. LWCRCo Report - Eric Grossman (verbal)
 - c. Mayor's Report - Eric Grossman (verbal)
 - d. Written Reports (Recreation, BI) - **Read ONLY**
- VI. PUBLIC HEARINGS AND RELATED BUSINESS
 - a. Approve/Disapprove Creede Development Code
- VII. OLD BUSINESS
 - a. Approve/Disapprove/Review ATM Installation at Chamber Building
- VIII. NEW BUSINESS
 - a. Approve/Disapprove Change in Manager UGMM
 - b. Approve/Disapprove 408 La Garita Ave Facility Name
 - c. Approve/Disapprove Flume Project as a Design Build
 - d. Approve/Disapprove Optional Employee Investing Plan - CCOERA 457
- IX. MANAGERS REPORT
- X. ADJOURN

POSTED 10/2/15

OPEN TO THE PUBLIC

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO - A TOWN
January 19, 2016**

SPECIAL MEETING

The Board of Trustees of the City of Creede - a Town, County of Mineral, State of Colorado, met in regular session in the Creede Town Hall at the hour of 5:33 p.m. There being present at the call of the roll the following persons:

TRUSTEES PRESENT: Lori Dooley, Kay Wyley, Catherine Kim, Eric Grossman,
 Teresa Wall, Frank Freer, Dana Brink

Mayor Grossman, presiding, declared a quorum present.

Those members of staff also present were as follows:

Clyde Dooley, Town Manager
Randi Snead, Clerk/Treasurer

REVIEW AGENDA

Trustee Dooley moved and Trustee Wall seconded to approve the agenda as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

NEW BUSINESS

DISCUSS/APPROVE/DISAPPROVE FLUME REPAIR DESIGN

Trustee Wyley moved and Trustee Freer seconded to pursue grouted rock repairs with the assistance of Bohannon Houston until a repair design could be chosen and to submit the latest NRCS Hydrology study to FEMA and other parties rather than pursuing a new one for the time being. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE GYM LEASE

After review of the draft, Trustee Freer moved and Trustee Wyley seconded to approve the draft with the stipulation that the Chair of the Board of County Commissioners be corrected to the current Chair, the contact email for the City Manager to be corrected, that "School Lunch Program" in Section 9 be replaced with "Senior Lunch Program," and that Exhibit A be provided for approval at the regular meeting February 2, 2016. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE RESOLUTION 2016-03 TREASURY MANAGEMENT

Trustee Dooley moved and Trustee Wall seconded to approve Resolution 2016-03 Treasury Management as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE EMERGENCY MANAGEMENT AGREEMENT

Separate consideration of the 2016 donation amount at the regular meeting February 2, 2016 meeting was requested. Trustee Dooley moved and Trustee Brink seconded to approve the Emergency Management Agreement with the stipulation that paragraph 4 be stricken in its entirety. The vote was unanimous. Mayor Grossman declared the motion carried.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Wall moved and Trustee Brink seconded that the meeting be adjourned at 6:23 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

DRAFT

BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO - A TOWN
February 2, 2016

REGULAR MEETING

The Board of Trustees of the City of Creede - a Town, County of Mineral, State of Colorado, met in regular session in the Creede Town Hall at the hour of 5:31 p.m. There being present at the call of the roll the following persons:

TRUSTEES PRESENT: Lori Dooley, Kay Wyley, Catherine Kim (departed 6:53 p.m.), Eric Grossman, Teresa Wall, Frank Freer, Dana Brink

Mayor Grossman, presiding, declared a quorum present.

Those members of staff also present were as follows:

Clyde Dooley, Manager
Randi Snead, Clerk/Treasurer

REVIEW AGENDA

A letter of support was added to the consent agenda as item g. Item f. of the consent agenda was moved to New Business item d. Trustee Wall moved and Trustee Brink seconded to approve the agenda as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

CONSENT AGENDA

The consent agenda contained the following items:

- a. Approve/Disapprove January 5 & January 20, 2016 Minutes
- b. Review/Consent of January 2016 Check Detail Report
- c. Approve/Disapprove February 2, 2016 Unpaid Bills Report [Available 2/2/15]
- d. Approve/Disapprove Tommyknocker Tavern LQ License Renewal
- e. Approve/Disapprove Multiple Special Event Permit - Elks
- f. Approve/Disapprove Chamber Cabin Fever Daze Private Event Permit
- g. Approve/Disapprove CHS Letter of Support to El Pomar

Clerk Snead was asked to check the recording for an additional motion on the January 20, 2016 minutes and report back at the March 1 meeting. Trustee Brink moved and Trustee Wall seconded to approve the consent agenda as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

REPORTS AND PRESENTATIONS

PUBLIC WORKS REPORT

Public Works Director, Ben Davis reported on the following items:

-There has been plenty of snow, and the crews have been removing it fairly efficiently given the currently limited fleet. Davis encouraged the Board to approve the equipment lease they would be considering later in the evening.

-There have been issues with the facility heat and furnaces at the old gym but they seem to be resolved with the help of a contract laborer.

RECREATION REPORT

Recreation Coordinator Heather DeLonga reported on the following items:

-The gym is open and being used by 59 adults, 5 seniors, 14-20 teens, and 5-10 toddlers. Approximately 80% of the users are from out of city limits.

-She will be putting on all Cabin Fever Days events at Silver Ice Park.

-She responded to questions regarding the high usage of lights at the hockey ponds during the last several weeks.

-She had concerns about changes to her job description and accessing her department's budgeted funds.

The discussion was postponed to the February 16 work session and a special meeting with an executive session to discuss personnel matters was scheduled for the same meeting.

LOWER WILLOW CREEK RESTORATION COMPANY REPORT

Mayor Grossman reported that the LWCRCo has put out an RFP for completing construction of Phase 2 capping and dirt work. Phase 3 planning including trails and landscaping may start in the early fall.

MAYOR GROSSMAN'S REPORT

Mayor Grossman reported on the following items:

- He is serving as the chairman of the SLV Council of Governments and will continue to attend their monthly meetings in Alamosa.
- He traveled to Denver to testify on behalf of Creede during a house subcommittee hearing on ATV use on public highways.
- He will be attending Rural Philanthropy Days follow-up meeting on February 17, 2016 in Alamosa.
- He has been in contact through his work in South Fork with someone who has built a model of Creede and is willing to part with it. The model will be discussed at the upcoming Work Session.
- The City-County joint work session will be Thursday, March 3, 2016 at 5:30 p.m.
- Congress will be considering Good Samaritan legislation soon. He may be traveling to Washington D.C. to testify on behalf of Creede in support of the bill.

WRITTEN REPORTS

Written reports were received and filed from Recreation and the Building Inspector.

PUBLIC HEARINGS AND RELATED BUSINESS

APPROVE/DISAPPROVE ORDINANCE 394 AUTHORIZING THE SALE & TRANSFER OF CITY OWNED PROPERTY

Mayor Grossman opened the public hearing. Debby Roughton-Miles spoke against the sale of property. Avery Augur and Cary Bush spoke in favor of the sale of property. Correspondence against the sale was received from Debby Roughton-Miles via Mayor Grossman and included in the permanent record. Trustee Brink relayed her concerns about using "fair market value" in the Right of First Refusal to Repurchase Property and suggested alternative language. The issue was discussed among the Trustees at length. Mayor Grossman closed the public hearing. Trustee Wall moved and Trustee Dooley seconded to approve Ordinance 394 Authorizing the Sale & Transfer of City Owned Property as presented. Mayor Grossman requested a roll call vote. The vote was as follows: Trustee Dooley: Yes. Trustee Wyley: Yes. Trustee Kim: Yes. Trustee Wall: Yes. Trustee Brink: No. Trustee Freer: Yes. Mayor Grossman declared the motion carried.

OLD BUSINESS

APPROVE/DISAPPROVE GYM LEASE EXHIBIT A

Trustee Freer moved and Trustee Wall seconded to approve Gym Lease Exhibit A as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

SCHEDULE A PUBLIC HEARING FOR MARCH 1, 2016 CREEDE DEVELOPMENT CODE

Trustee Wyley moved and Trustee Dooley seconded to schedule a public hearing to consider the Creede Development Code for March 1, 2016. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE EMERGENCY MANAGEMENT DONATION

Trustee Dooley moved and Trustee Wall seconded to donate \$10,000 to the Emergency Management Program. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE RESOLUTION 2016-04 SETTING ATV BALLOT QUESTIONS

Language in Ballot Questions 1 & 2 was changed from "subject to regulation drafted by the board of trustees" to "subject to such rules and regulations as may be adopted by ordinance of the board of trustees" as suggested by attorney Heil. Language in ballot question 2 was changed from "on certain public roads" to "on a

designated route within town.” Trustee Kim moved and Trustee Wall seconded to approve Resolution 2016-04 Setting ATV Ballot Questions. The vote was unanimous. Mayor Grossman declared the motion carried.

**Trustee Kim left meeting at this point.*

APPROVE/DISAPPROVE RESOLUTION 2016-05 LEASING FRONT-END LOADER

Trustee Dooley moved and Trustee Freer seconded to approve Resolution 2016-05 Leasing Front-End Loader. The vote was unanimous. Mayor Grossman declared the motion carried.

NEW BUSINESS

APPROVE/DISAPPROVE UPDATED PUBLIC PROPERTY EVENT POLICY & PROCEDURES

Trustee Dooley moved and Trustee Brink seconded to approve the Public Property Event Policy & Procedures as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE GYM EVENT PERMIT APPLICATION

A line was added for event approval of a designee of the Senior Lunch Program. The rental fee was clarified as \$100 for the gym, \$75 for the kitchen, and \$175 for both facilities. Trustee Wall moved and Trustee Wyley seconded to approve the Gym Event Permit Application as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE CIELLO SWITCHOVER

Trustee Wall moved and Trustee Brink seconded to switch the city phone and internet service provider from CenturyLink to Ciello as recommended by staff. The vote was unanimous. Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE CRT GALA GYM EVENT PERMIT

Trustee Wall moved and Trustee Dooley seconded to approve the CRT Gala Gym Event Permit contingent on approval by a designee of the Senior Lunch Program. The vote was unanimous. Mayor Grossman declared the motion carried.

MANAGER'S REPORT

Ballpark: Trustee Dooley moved and Trustee Wall seconded to approve the bid for the ballpark restroom update. The vote was unanimous. Mayor Grossman declared the motion carried. Dooley was directed to proceed on the project.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Wall moved and Trustee Brink seconded that the meeting be adjourned at 7:20 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO - A TOWN
February 16, 2016**

SPECIAL MEETING

The Board of Trustees of the City of Creede - a Town, County of Mineral, State of Colorado, met in regular session in the Creede Town Hall at the hour of 5:33 p.m. There being present at the call of the roll the following persons:

TRUSTEES PRESENT: Lori Dooley, Kay Wyley, Catherine Kim, Eric Grossman,
 Teresa Wall, Frank Freer, Dana Brink

Mayor Grossman, presiding, declared a quorum present.

Those members of staff also present were as follows:

Clyde Dooley, Town Manager
Randi Snead, Clerk/Treasurer

REVIEW AGENDA

Trustee Wall moved and Trustee Dooley seconded to approve the agenda as presented. The vote was unanimous. Mayor Grossman declared the motion carried.

NEW BUSINESS

APPROVE/DISAPPROVE LIQUOR LICENSE RENEWAL - THE FAR DOG, LLC.

Trustee Wall moved and Trustee Brink seconded to approve the Liquor License Renewal for The Far Dog, LLC. The vote was unanimous. Mayor Grossman declared the motion carried.

EXECUTIVE SESSION

EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS PURSUANT TO COLORADO REVISED STATUTE §24-6-402(2)(F) CONCERNING HEATHER DELONGA

Trustee Wall moved and Trustee Dooley seconded to convene into executive session to discuss Personnel Matters pursuant to C.R.S. §24-6-402(2)(f) concerning Heather DeLonga. The vote was unanimous. Mayor Grossman declared the motion carried.

Trustee Wall moved and Trustee Freer seconded to move out of executive session. The vote was unanimous. Mayor Grossman declared the motion carried.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Wyley moved and Trustee Dooley seconded that the meeting be adjourned at 6:06 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

 /Randi Snead/
Randi Snead, City Clerk/Treasurer

City of Creede, a Statutory Town
Liquor License Summary

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Drivers License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give the Board of Trustees and citizens the public content of the issue at hand.

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Type of Action Requested: Renewal of Beer & Wine Liquor License

Applicant: MJ'S Buffet, LLC.

Current Licensee: Same.

Factual Findings:

- This entity has changed liquor license possession from husband/wife partnership ownership to sole proprietorship per DR8177
- The Owner/Operating Manager is Monica Jones.
- Business address is 801 La Garita Ave.
- The licensee has possession of the premises by ownership.
- The business is in good standing.
- Character of the applicant is not an issue for this request.
- All applicable fees have been paid.
- The application for renewal was submitted in a timely manner.

Recommended Action

Consider approval of application for Renewal from MJ's Buffet LLC of a Beer & Wine Liquor License.

City of Creede, a Statutory Town
Liquor License Summary

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Type of Action Requested: Renewal of Hotel/Restaurant Liquor License

Applicant: Arps, LLC.

Current Licensee: Same.

Factual Findings:

- This entity has had no changes in officers or owners.
- The Owner/Operating Manager is John Arp.
- Business address is 112 N Main Street.
- The licensee has possession of the premises by ownership.
- The business is in good standing.
- Character of the applicant is not an issue for this request.
- All applicable fees have been paid.
- The application for renewal was submitted in a timely manner.

Recommended Action

Consider approval of application for Renewal from Arps LLC of a Hotel/Restaurant Liquor License.

City of Creede, a Statutory Town
Liquor License Summary

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Type of Action Requested: Renewal of Tavern Liquor License

Applicant: Creede/Mineral Co. Underground Mining Museum

Current Licensee: Same.

Factual Findings:

- This entity has had no changes in officers or owners.
- The Operating Manager is Richard Brown.
- Business address is #13 Forest Service Road 503.
- The licensee has possession of the premises by ownership.
- The nonprofit is in good standing.
- Character of the applicant is not an issue for this request.
- All applicable fees have been paid.
- The application for renewal was submitted in a timely manner.

Recommended Action

Consider approval of application for Renewal from Creede/Mineral Co. Underground Mining Museum of a Tavern Liquor License.

City of Creede, a Statutory Town
Liquor License Summary

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Drivers License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give the Town Board and citizens the public content of the issue at hand.

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Type of Action Requested: Approve Change of Manager for Creede Underground Mining Museum

Applicant for Licensee Manager: Wendy Leggitt

Current Licensee Manager: Ricky Brown

Application details:

- This entity has had no changes in ownership.
- Business address is 13 Forest Service Road 503
- Applicant has current sales tax license.
- Applicant is eligible to apply for a liquor license.
- The location is eligible to be licensed.
- Applicant does not hold any other liquor licenses in Colorado.
- Property is owned by Licensee

Factual Findings:

- Character of the applicant is not an issue for this consideration. A hearing is not required.
- Applicant manager has completed an individual history record.
- Operation of this business is in compliance with local zoning.
- All applicable fees have been paid.

Recommended Action

Consider approval of Change of Managers for UGMM



**COLORADO COUNTY OFFICIALS AND
EMPLOYEES RETIREMENT ASSOCIATION
DEFERRED COMPENSATION PLAN**

457 PARTICIPATION AGREEMENT

(Amended and Restated Effective as of June 1, 2014)

**COLORADO COUNTY OFFICIALS AND EMPLOYEES
RETIREMENT ASSOCIATION
DEFERRED COMPENSATION PLAN
(Amended and Restated Effective as of June 1, 2014)**

457 PARTICIPATION AGREEMENT

Participating Employer: City of Creede, A Colorado Town

Participating Employer Original Participation Date: April 1, 2016

Participation Agreement Effective Date: April 1, 2016

By this Agreement, by and between Colorado County Officials and Employees Retirement Association (“CCOERA”) and the Participating Employer designated above, the Participating Employer adopts the Colorado County Officials and Employees Retirement Association Deferred Compensation Plan (the “Plan”), as amended and restated effective June 1, 2014, and as further amended or supplemented from time to time. Capitalized terms used in this Participation Agreement but not defined shall have the meanings given in the Plan. This Agreement shall amend and supersede any previous participation agreement made by and between the Participating Employer and CCOERA.

1. ADOPTION OF THE PLAN. The Participating Employer adopts the Plan pursuant to the terms of the Plan and this Participation Agreement, effective as of the Participation Agreement Effective Date. The Participating Employer’s participation in the Plan is conditioned on the timely payment by the Participating Employer of its proportional share of contributions under the Plan and expenses resulting from administration of the Plan.

2. REVIEW OF THE PLAN. The Participating Employer has reviewed the Plan, and in particular Sections 8.8 and 8.12 of the Plan. The Participating Employer has consulted, or had opportunity to consult, with its legal and tax advisors with reference to the Plan and this Participation Agreement.

3. APPROVAL OF PLAN TRUSTEE AND ADMINISTRATOR. The Participating Employer approves and confirms the Trustee and Administrator designated by CCOERA to serve in each such capacities.

4. CCOERA AS AGENT. The Participating Employer irrevocably designates CCOERA as its agent for all purposes of the Plan, and authorizes CCOERA, on behalf of the Participating Employer, to perform the specific acts and to exercise the specific powers granted under the Plan. CCOERA or its designee shall have authority to make any and all necessary rules or regulations, binding upon the Participating Employer and its Employees, to effectuate the purpose of the Plan.

5. LIABILITY FOR CONTRIBUTIONS. All contributions made by the Participating Employer under the Plan and this Participation Agreement shall be determined separately by each Participating Employer, and shall be allocated only among the eligible Participants of the Participating Employer making the contribution.

6. OPTIONAL EMPLOYER CONTRIBUTIONS. The Participating Employer hereby elects and commits to make Employer Contributions in the following amounts and for the following Eligible Employees:

- The Participating Employer shall make no Employer Contributions.
- The Participating Employer shall make Employer Contributions, as follows:

Employees designated to receive Employer Contributions include:

(See current Employer 457 contribution policy attached.)

7. ROTH CONTRIBUTIONS. (*Specify one option only*):

- Roth Contributions are allowed in accordance with the Plan.
- Roth Contributions are not allowed.

8. LOANS TO ELIGIBLE BORROWERS. (*Specify one option only*):

- Participant loans are allowed in accordance with Article 4 of the Plan and loan procedures adopted by the Administrator.
- Participant loans are not allowed.

Note: If loans are permitted, a Participant may not request a loan from a Roth Account.

Dated this 01 day of March, 2016.

Participating Employer

By: _____

Title: Clyde Dooley, City Manager

Dated this _____ day of _____, 20__.

COLORADO COUNTY OFFICIALS AND
EMPLOYEES RETIREMENT ASSOCIATION
Plan Sponsor

By: _____

Title: Executive Director