CITY OF CREEDE MEETING AGENDA CREEDE TOWN HALL

BOARD OF TRUSTEES **APRIL 8, 2014, 5:30 PM** **2223 N. MAIN STREET**

REGULAR MEETING

I. CALL TO ORDER

II. ROLL CALL

III. REVIEW AGENDA

IV. APPROVE/DISAPPROVE MARCH 4, 2014 AND MARCH 18, 2014 MINUTES

V. SWEARING IN CEREMONIES FOR NEWLY ELECTED TRUSTEES
   a. Trustees Elect Drawing For Term Limits (Three 4-year terms, two 2-year terms)
   b. Oath of Office & Presentation of Newly Elected Trustees
   c. Appreciation to Outgoing Officials
   d. Outgoing Officials Vacate Seats/New Officials Take Seats/Resume Meeting

VI. CONSENT AGENDA
   a. Review/Consent of paid disbursements as listed on the March 2014 Check Detail Report
   b. Approve/Disapprove checks to be written April 9th, 15th and/or 30st and signed
   c. Approve/Disapprove Parade Permit - Taste of Creede
   d. Approve/Disapprove Private Event Application – High Country Hustle
   e. Approve/Disapprove Special Event Permit (For Liquor Service)-High Country Hustle
   f. Approve/Disapprove Liquor License Renewal – Kip's Grill
   g. Accept Letter(s) Regarding Residency

VII. 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, Building Inspector) **Read ONLY**

VIII. PUBLIC HEARINGS AND RELATED BUSINESS
   a. Approve/Disapprove Ordinance 380 Authorizing Transfer of Property – North Creede
   b. Approve/Disapprove Resolution 2014-06 Replat of Tract 21R, Block 39, North Creede

IX. NEW BUSINESS
   a. Appoint a Mayor Pro-Tem
   b. Appoint Planning & Zoning Ex-Officio Members from Board of Trustees [Must be mayor + one other board member]
   c. Appoint Two Board of Director members for LWCRCo
   d. Approve/Disapprove Letter Adding & Removing City of Creede Bank Account Signers [Removing Ed, Randi recommends adding Kay]
   e. Public Opening & Reading of Bids – Maintenance Shop [To be awarded @ 4/10/14 SM]

X. MANAGERS REPORT

XI. ADJOURN

POSTED 4/4/14

OPEN TO THE PUBLIC

BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
March 4, 2014

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:	Kay Wyley, Ed Skroch, Eric Grossman, Teresa Wall, Denis Powell, Heather DeLonga
TRUSTEES ABSENT:	Elizabeth Zurn

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

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

CONSENT AGENDA

The consent agenda contained the following items:

a. Approve/Disapprove February 4, 2014 Minutes, February 4, 2014 Board of Adjustment Minutes, and February 18, 2014 Minutes
b. Review/Consent of previously paid disbursements as listed on the February 2014 Check Detail Report
c. Approve/Disapprove Checks to be written March 5th, 15th and/or 31st and signed [No Info Avail. As of 2/28]
d. Approve/Disapprove Liquor License Renewal - Cascada Bar & Grill
e. Approve/Disapprove Liquor License Renewal - UGMM
f. Approve/Disapprove Election Judge Pay Raise [$125.00 to $150.00]

Trustee Wyley abstained from February 4, 2014 minutes due to her absence. Trustee Powell and Trustee Wall seconded to approve the consent agenda as presented. 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:

-The crew is aiming to sweep & clean the streets in preparation for pavement marking before the busy season to improved traffic control.

-There are additional problems related to the blower motor at the wastewater plant. The contracted electrician believes that it was hit by lightning thus affecting the control systems in addition to the motor, and they are working on a solution. There are currently two blower backups.

-Ben had been meeting with Clyde and Eloise to discuss the Arts & Recreation program and is confident that our current staff will be able to meet changing demands and to implement new activities.

-Ben mentioned that dog defecation has become a problem in the baseball park and intends to research dog cleanup stations to be placed at the baseball park, Seime park, and Morton park.

-The new gas station owners had discussed relocating a sewer line leading to their property. The pavement surrounding the property has not been replaced, and Ben hoped to coordinate that repair in a wide area with the owners, the City, and CDOT.

LOWER WILLOW CREEK RESTORATION COMPANY REPORT

DRAFT

Mayor Grossman reported that the company was reviewing plans for Phase 2 of the floodplain project and locating sources for soil for the revegetation. They are also planning to ask the City to pay ½ of the annual insurance costs once they received them.

MAYOR GROSSMAN'S REPORT

Mayor Grossman reported on the following items:

-He is working with CDOT to create a full time coordinator position to coordinate different groups that were addressing valley transportation.

-He would like to research starting a Colorado Creative District.

-He asked to discuss Virginia Christensen grant awards at the upcoming work session.

WRITTEN REPORTS

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

NEW BUSINESS

APPROVE/DISAPPROVE RESOLUTION 2014-04 POLICY REGARDING ATV PRIVATE EVENTS

Several elements of the Resolution were discussed and clarified. Trustee Wall moved and Trustee DeLonga seconded to approve Resolution 2014-03 Repealing 2013-14 Authorizing Mail Ballot Election. There were three yes votes and two no votes (Skroch and Powell). Mayor Grossman declared the motion carried.

APPROVE/DISAPPROVE HEADLEE BOUNDARY AGREEMENT

Trustee Powell moved and Trustee Wall seconded to approve the Headlee Boundary Agreement as presented. The vote was unanimous. Mayor Grossman declared the motion carried. Mayor Grossman declared the motion carried. Trustee Delonga moved and Trustee Powell seconded to approve scheduling a public hearing for the Headlee Replat April 8, 2014. The vote was unanimous. Mayor Grossman declared the motion carried. Manager Dooley requested that the motion be amended to schedule a public hearing for the consideration of Ordinance 380. Trustee Delonga and Trustee Powell seconded to amend the motion. The vote was unanimous. Mayor Grossman declared the motion carried.

OLD BUSINESS

APPROVE/DISAPPROVE EMPLOYEE HANDBOOK REVISION

Employee drug testing and liability were discussed at length. It was decided that the section "Prospective Employee Testing" be removed until a better policy could be created and adopted. Trustee DeLonga moved and Trustee Wyley seconded to approve the March 2014 Revision of the Employee Handbook as amended. The vote was unanimous. Mayor Grossman declared the motion carried.

MANAGER'S REPORT

The items discussed and the actions taken in the Town Manager Dooley's Report were as follows:

Tomkins Lease Administrative Direction: The rental fee of the property used for storage on Wall Street was discussed at length. Several figures between $2,400 and $1,500 per year were suggested. Trustee Skroch moved and Trustee DeLonga seconded to charge $2,000 per year as a rental fee. There were three yes votes and two no votes (Powell & Wall). Mayor Grossman declared the motion carried. The Trustees also directed Dooley to shorten the lease to two years and to contact the property manager to present the lease draft and invite him to the upcoming work session.

CIRSA Boiler & Machinery Insurance: Dooley asked for and was given direction to decline CIRSA Boiler & Machinery Insurance.

New Maintenance Shop: Dooley asked for and was given direction to move forward with the bid process by advertising the invitation for bids and scheduling the bid acceptance for April 22, 2014.

DRAFT

Creede Mining Heritage, Inc.: CMHI had requested a fee waiver for the replat of the Church and Bob Ford Grave. The Trustees directed Dooley to waive the fee with CMHI paying for all surveys and administrative costs. They also asked that Dooley request that, in exchange for waiving the fee, CMHI complete the Bob Ford Gravesite within a certain timeline to be discussed at the upcoming work session.

City-County Retreats: The Board of County Commissioners requested that quarterly city-county work sessions take place on the first Wednesday of every third month starting March 5, 2014. No Trustees had objections to this schedule.

ADJOURN

There being no further business to come before the Board of Trustees at this time, Trustee Powell moved and Trustee Wyley seconded that the meeting be adjourned at 6:43 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

_____

Randi Snead, City Clerk/Treasurer

DRAFT

BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
March 18, 2014

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 5:30 p.m. There being present at the call of the roll the following persons:

TRUSTEES PRESENT: Elizabeth Zurn, Kay Wyley, Ed Skroch, Eric Grossman, Heather DeLonga

TRUSTEES ABSENT: Teresa Wall, Denis Powell

Mayor Grossman, presiding, declared a quorum present.
Those members of staff also present were as follows:

Clyde Dooley, Town Manager
Randi DePriest, Clerk/Treasurer

REVIEW AGENDA

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

NEW BUSINESS

APPROVE/DISAPPROVE RESOLUTION 2014-05 CANCELLING THE REGULARLY SCHEDULED MUNICIPAL ELECTION

Trustee Zurn moved and Trustee DeLonga seconded to approve Resolution 2014-05 Cancelling the Regularly Scheduled Municipal Election. 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 Zurn moved and Trustee DeLonga seconded that the meeting be adjourned at 6:05 p.m. The vote was unanimous. Mayor Grossman declared the motion carried.

Respectfully submitted:

_____
Randi Snead, City Clerk/Treasurer

DRAFT

CITY OF CREEDE; A COLORADO TOWN
Monthly Check Detail
March 2014

Type	Date	Num	Name	Memo	Amount
Mar 14					
Check	03/01/2014	WS...	Robert B Schlough	Reimbursement Check WS #2784 -T...	-98.82
Liability ...	03/03/2014	AF...	AFLAC	BJB74	-179.42
Bill Pmt -...	03/05/2014	7749	CMCA	2014 Dues, Snead/Dooley	-130.00
Bill Pmt -...	03/05/2014	7750	I.I.M.C.	2014 Dues Snead/CMC App	-195.00
Bill Pmt -...	03/05/2014	7751	Kentucky Belle Market	Jan Charges/Acct. #15 & #20-Tax Ex...	-40.53
Bill Pmt -...	03/05/2014	7752	Kimball Midwest	Machinery Lubricant & Adhesive	-125.46
Bill Pmt -...	03/05/2014	7753	McQuitty Plumbing & Heatin...	1072/Public Restrooms Toilet Replac...	-690.96
Bill Pmt -...	03/05/2014	7754	Muleys Disposal Service	Jan Trash Svcs/Accts 116, 1197, 1198	-330.00
Bill Pmt -...	03/05/2014	7755	San Luis Valley Council of ...	2014 SLVCOG Dues	-717.00
Bill Pmt -...	03/05/2014	7756	Tami Rutland	Days of '92 Vendor Refund	-52.00
Bill Pmt -...	03/05/2014	7757	Tomkins Hardware & Lumber	Jan Charges/Acct #580	-195.32
Bill Pmt -...	03/05/2014	7758	Valley Publishing	Legal #6171/Call for Nominations	-46.50
Bill Pmt -...	03/05/2014	7759	Creede Gifts & Gas, LLC	February Gas Charges	-669.55
Liability ...	03/10/2014	941...	United States Treasury	84-6000575	-4,283.26
Liability ...	03/10/2014	CC...	GWRS (CCOERA)	98721-01/1220	-427.50
Liability ...	03/10/2014	CC...	GWRS (CCOERA)	98721-01/1220	-416.44
Bill Pmt -...	03/13/2014	7774	CenturyLink	300794269/Feb	-235.97
Bill Pmt -...	03/13/2014	7775	Creede HistoricalSociety	Creede/Mineral Arts & Recreation So...	-500.00
Bill Pmt -...	03/13/2014	7776	Davis Engineering Service, I...	North Creede Surveying & Drafting (...	-352.00
Bill Pmt -...	03/13/2014	7777	MacDonald Equipment Co.	C52453/Curb Shoes (2)	-263.40
Bill Pmt -...	03/13/2014	7778	McQuitty Plumbing & Heatin...	1063/CELC Plumbing Repair Costs	-217.45
Bill Pmt -...	03/13/2014	7779	Mineral County Clerk and R...	VOID: Record Replat & Related Docs...	0.00
Bill Pmt -...	03/13/2014	7780	Monte Vista Cooperative	Propane Charges/Rent/Parts	-1,225.05
Bill Pmt -...	03/13/2014	7781	Oceans & Rivers, LLC	February Gas Charges	-669.55
Bill Pmt -...	03/13/2014	7782	Valley Imaging Products, LLC	Monthly Service Agreement	-60.00
Bill Pmt -...	03/13/2014	7783	Mineral County Clerk and R...	Record Replat & Related Docs-Brenn...	-214.00
Paycheck	03/14/2014	7760	Benjamin J Davis		-1,034.29
Paycheck	03/14/2014	7762	Denis F Powell		-153.92
Paycheck	03/14/2014	7763	Donald L Braley		-565.85
Paycheck	03/14/2014	7764	Edward J Skroch		-153.92
Paycheck	03/14/2014	7765	Elizabeth R Zurn		-153.92
Paycheck	03/14/2014	7767	Eric R Grossman		-218.09
Paycheck	03/14/2014	7768	Heather DeLonga		-153.92
Paycheck	03/14/2014	7769	Merolyn K Wyley		-153.92
Paycheck	03/14/2014	7771	Robert B Schlough		-1,007.50
Paycheck	03/14/2014	7773	Teresa Wall		-153.92
Paycheck	03/14/2014	7761	Clyde E Dooley		-1,478.40
Paycheck	03/14/2014	7766	Eloise T Hooper		-501.57
Paycheck	03/14/2014	7770	Randi L Snead		-1,055.70
Paycheck	03/14/2014	7772	Scott W Leggitt		-789.76
Liability ...	03/14/2014	7784	Colorado Department of Re...	07-01555	-72.70
Liability ...	03/17/2014	CC...	GWRS (CCOERA)	98721-01/1220	-420.84
Bill Pmt -...	03/17/2014	7785	VISA		-536.39
Liability ...	03/28/2014	7793	CEBT	City of Creede, 32705SG	-3,040.75
Liability ...	03/28/2014	AF...	AFLAC	BJB74	-179.42
Liability ...	03/28/2014	7794	Colorado Department of Re...	07-01555	-1,716.00
Liability ...	03/28/2014	7795	Colorado State Treasurer	133001-00-6-001	-165.19
Liability ...	03/28/2014	CC...	GWRS (CCOERA)	98721-01/1220	-438.00
Bill Pmt -...	03/28/2014	7796	CIRSA	WC/PC Insurance Q2	-2,319.00
Bill Pmt -...	03/28/2014	7797	Creede Community Center	February 27 & March 13 Movie Night	-88.00
Bill Pmt -...	03/28/2014	7798	Eric Grossman	2/20 CDOT Meeting	-77.41
Bill Pmt -...	03/28/2014	7799	Heather W. Delonga	School Arts Instruction (9 hrs, $20/ho...	-180.00
Bill Pmt -...	03/28/2014	7800	Jackson Electric Company	Service at Basham Park Restrooms	-160.00
Bill Pmt -...	03/28/2014	7801	Merrick & Company	VOID: 131370/Rio Grande Developm...	0.00
Bill Pmt -...	03/28/2014	7802	Mineral County Landfill	PW Spring Cleanup	-135.00
Bill Pmt -...	03/28/2014	7803	SLVREC	March 15 Charges/Public Works	-1,257.00
Bill Pmt -...	03/28/2014	7804	Terry Pugh	Cy Warman Plaque/263121	-180.98
Bill Pmt -...	03/28/2014	7805	Valley Publishing	PH Ads	-104.00
Paycheck	03/31/2014	7786	Benjamin J Davis		-1,111.09
Paycheck	03/31/2014	7788	Donald L Braley		-611.03
Paycheck	03/31/2014	7791	Robert B Schlough		-1,064.34
Paycheck	03/31/2014	7792	Scott W Leggitt		-861.54
Paycheck	03/31/2014	7787	Clyde E Dooley		-1,478.41
Paycheck	03/31/2014	7789	Eloise T Hooper		-501.58
Paycheck	03/31/2014	7790	Randi L Snead		-1,055.70
Liability ...	03/31/2014			Adjust for rounding	0.01
Liability ...	03/31/2014	941...	United States Treasury	84-6000575	-4,492.36
Liability ...	03/31/2014			Adjust for 11.5K rule	0.47
Mar 14					**-42,156.11**

Please see WS Check Detail for VISA charge details.

10:19 AM

04/03/14

Accrual Basis

Water and Sewer Fund
Monthly Check Detail
March 2014

Type	Date	Num	Name	Memo	Amount
Mar 14					
Bill Pmt -Check	03/05/2014	2795	Kentucky Belle Market	Feb Charges/#15 Tax Exempt	-3.69
Bill Pmt -Check	03/05/2014	2796	Sangre De Cristo Lab, Inc.	Water Testing	-86.00
Bill Pmt -Check	03/05/2014	2797	SLV Water Conservancy District	Water Permits	-1,650.00
Bill Pmt -Check	03/13/2014	2798	CenturyLink	300794269/Feb	-109.78
Bill Pmt -Check	03/13/2014	2799	Southern Colorado Water Operati...	770/Mar Water Contract	-125.00
Bill Pmt -Check	03/17/2014	2800	VISA		-320.41
Bill Pmt -Check	03/31/2014	2801	Accutest Mountain States 061509	Wastewater Testing	-460.00
Bill Pmt -Check	03/31/2014	2802	CIRSA	WC/PC QTR2	-1,159.50
Bill Pmt -Check	03/31/2014	2803	City of Creede	March 2014 Salary Reimburse	-9,371.65
Bill Pmt -Check	03/31/2014	2804	DPC Industries, Inc.	DE73000146-14/Chlorine	-36.00
Bill Pmt -Check	03/31/2014	2805	Sangre De Cristo Lab, Inc.	Bac-T Analyses	-25.00
Bill Pmt -Check	03/31/2014	2806	SLVREC	March 15 Electric Charges	-2,833.00
Mar 14					**-16,180.03**

WATER/SEWER VISA CHECK DETAIL

Bill Pmt -Check	**2800**	**03/17/2014**	**VISA**		**6100 · W/S Cash**	
Bill	191...	02/24/2014		Shipping Costs/Water Testing	6500.32 · Postage	-11.68
Bill	878...	02/26/2014		Shipping Costs/Wastewater Testing	6500.32 · Postage	-81.42
Bill	863...	02/26/2014		Shipping Costs/Water Testing	6500.32 · Postage	-11.68
Bill	276...	03/03/2014		Shipping Costs/Wastewater Testin...	6500.32 · Postage	-5.38
Bill	657...	03/04/2014		Shipping Costs/Wastewater Testing	6500.32 · Postage	-81.05
Bill	5232	03/07/2014		UBS Postage	6500.32 · Postage	-129.20
TOTAL						-320.41

GENERAL FUND CHECK DETAIL

7785	**03/17/2014**	**VISA**		
Travel	02/10/2014		Snead/Elections Class Lodging	-76.49
Rec Supply	02/11/2014		Rec Supply-Crayons, Glue, Tape	-25.92
School Arts	02/15/2014		School Arts Monthly Subscription	-29.99
Rec Software	02/20/2014		Hooper Computer Software	-94.99
03481	02/26/2014		Rec Supply-Towels, Cleaning Supply	-18.58
6375	03/03/2014		Postage-Replat maps to Myers	-9.30
Election Notice	03/17/2014		Election Mail Ballot Notices	-158.29
Rec Computer	03/17/2014		Hooper Computer Software	-122.83
TOTAL				-536.39

CITY OF CREEDE; A COLORADO TOWN
Unpaid Bills Detail
As of April 3, 2014

Type	Date	Nu	Memo	Due Date	Open Balance
Creede Gifts & Gas, LLC					
Bill Pmt -Check	03/05/2014	7...	February Gas Charges		-669.55
Total Creede Gifts & Gas, LLC					-669.55
Kentucky Belle Market					
Bill	04/01/2014	0...	Mar Charges/Acct. #15 & #20-Tax Exempt	04/11/2014	58.34
Total Kentucky Belle Market					58.34
Kimball Midwest					
Bill	04/02/2014	3...	Welding Equipment	04/12/2014	157.17
Total Kimball Midwest					157.17
Muleys Disposal Service					
Bill	04/03/2014	1...	March Trash Svcs/Accts 116, 1197, 1198	04/13/2014	330.00
Total Muleys Disposal Service					330.00
Myer's Bros Truck & Tractor					
Bill	04/02/2014	2...	20711/Dump Truck Parts	04/12/2014	90.09
Total Myer's Bros Truck & Tractor					90.09
Tomkins Hardware & Lumber					
Credit	04/02/2014	To	Returned Supplies		-12.84
Bill	04/01/2014	5...	Mar Charges/Acct #580	04/11/2014	403.35
Total Tomkins Hardware & Lumber					390.51
Valley Publishing					
Bill	04/01/2014	#...	Legal #6177/PH Notice Of Cancellation	04/11/2014	108.50
Total Valley Publishing					108.50
VISA					
Bill	03/17/2014	Re	Recreation Supplies	03/27/2014	11.76
Bill	03/17/2014	Re	Recreation Supplies	03/27/2014	59.91
Bill	03/17/2014	Off	Office Supply-Printer Ink/Calculators/Soap	03/27/2014	58.81
Bill	03/17/2014	Co	Dooley New Comp Monitor	03/27/2014	108.95
Bill	03/11/2014	6...	Postage-Certified Adjacent Owner Notice-North ...	04/01/2014	25.92
Bill	03/24/2014	6...	Recreation Supplies	04/03/2014	294.73
Bill	04/02/2014	5...	Office Supplies/Clyde Computer Hardware	04/12/2014	21.99
Bill	04/03/2014	p...	Postage/Brennand Lamee Myers Replat	04/13/2014	4.83
Bill	03/15/2014	Sc	School Arts Monthly Subscription	05/01/2014	29.99
Total VISA					616.89
WSB Computer Consulting, LLC					
Bill	04/02/2014	4...	46314/Dooley/New Equipment/Setup/Database ...	04/12/2014	1,098.00
Total WSB Computer Consulting, LLC					1,098.00
TOTAL					**2,179.95**

Water and Sewer Fund
Unpaid Bills Detail
As of April 3, 2014

Type	Date	Num	Memo	Due Date	Open Balance
Kentucky Belle Market					
Bill	04/01/2014	00015	Feb Charges/#15 Tax Exempt	04/11/2014	135.18
Total Kentucky Belle Market					135.18
Merrick & Company					
Bill	04/02/2014	131370	131370/February Professional Servi...	04/12/2014	261.29
Total Merrick & Company					261.29
UNCC					
Bill	04/01/2014	2140...	Mar RTL Transmissions (1) I#21312...	04/11/2014	1.53
Total UNCC					1.53
VISA					
Bill	03/20/2014	787401	Water Testing Postage	03/30/2014	11.68
Bill	03/28/2014	3865...	Water Testing Postage	04/07/2014	11.68
Bill	04/02/2014	57979	Utility Billing Envelopes	04/12/2014	60.89
Total VISA					84.25
TOTAL					**482.25**

PARADE PERMIT APPLICATION

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

Name: Della Brown

Address: 904 S. Main St., Creede

Business/Organization (if applicable): Creede & Mineral County Chamber of Commerce / Taste of Creede

Phone: 719-658-2374 / 719-850-9939 cell Email: office@creede.com

Parade Date: 5/24/14-5/25/14 Parade Time (please allow for set-up and take-down): 5/23,6pm – 5/25,5pm

Parade Route **Begins:** _____

Parade Route **Ends:** _____

Planned Road Closures: Main Street from above 2nd street to north end of intersection at courthouse

_____

_____ **(Additionally, please attach a map)**

Estimated Number of People Expected to Attend this Event: 300+?

Responsible Parties for Barricade Set-up & Removal:

Name: Della Brown Phone: 719-850-9939 Name: Catherine Kim Phone: 719-658-2374

Name: _____ **Phone:** _____ **Name:** _____ **Phone:** _____

I have read, fully understand, and agree to the terms of this Parade Permit, any attached pages, and the City of Creede's Public Property Event Policy and Procedures:

Applicant Della Brown 4/2/14 Date

City Clerk 4/2/14 Date

SHERIFF'S DEPARTMENT NOTIFICATION: 4-1-14 Date

FOR ADMINISTRATIVE USE ONLY

Application Received 4/2/14 Fee 25.00 Date Paid 4/2/14

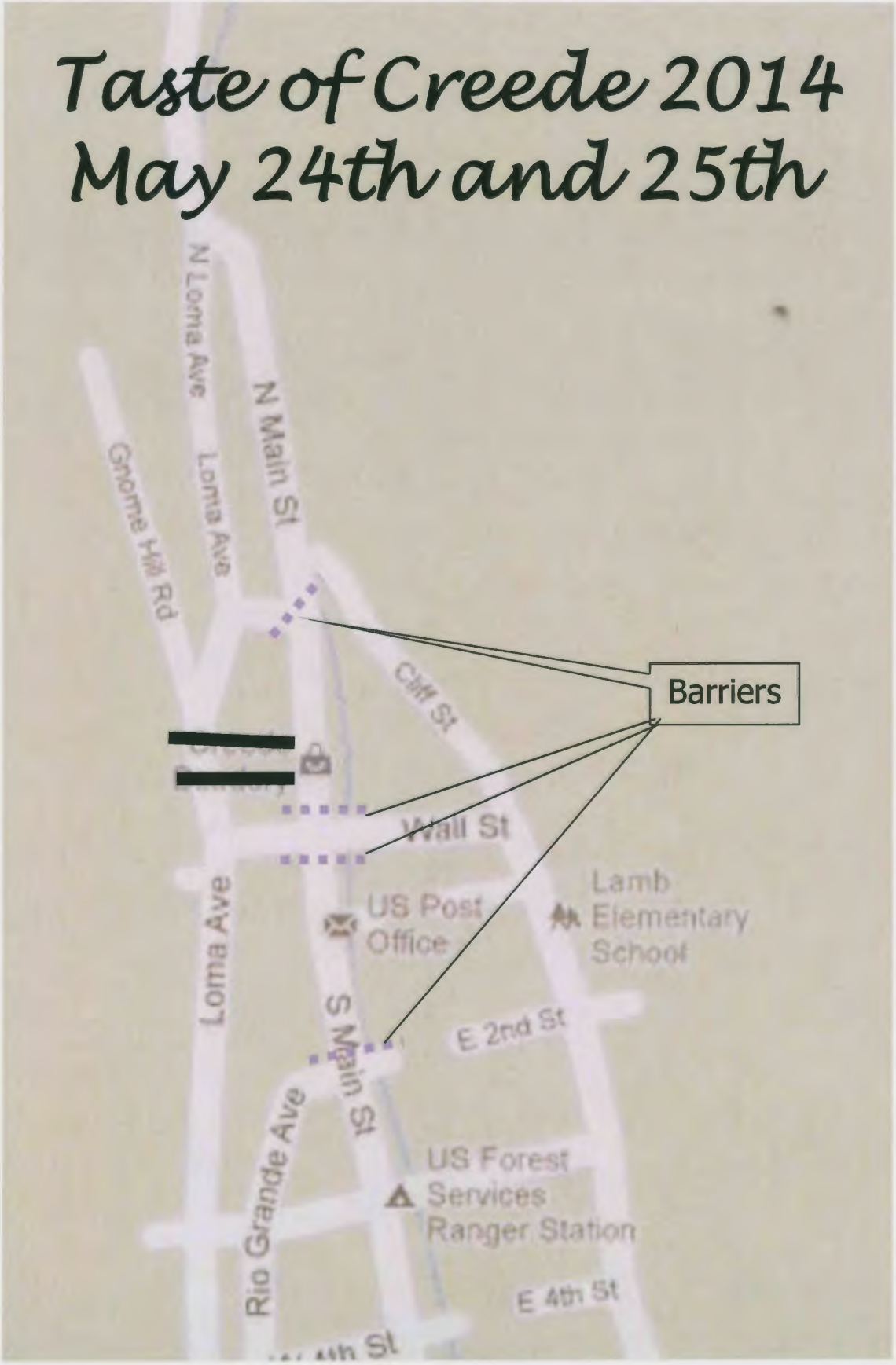
License Agreement Attached? Y ☐ N ☐ Proof of Insurance Attached? Y ☑ N ☐

Board of Trustees Meeting Date 4/8/14

Approved by Board of Trustees this _____ day of _____, 20 _____

Attest: _____ City Clerk

Taste of Creede 2014
May 24th and 25th



PRIVATE EVENT PERMIT APPLICATION

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

Name: ~~Colorado Rio Grande Restoration Foundation~~ 4th Annual High Country Hustle

Address: 623 4th St Alamosa, Co 81101

Business/Organization (if applicable): Colorado Rio Grande Restoration Foundation

Phone: 719 589 2230 Email: heatherrdutton@gmail.com

Description of Event: WCRC & Rio Grande Headwaters Restoration Project will host the annual 6K Run/Walk for Water Awareness!

Date and Times of Set-Up: April 26, 2014 1030 - 1

Dates and Times of Event: April 26, 2014 1-4 pm

Dates and Times of Tear-Down: April 26, 2014 4 - 530

Location of Event: Street/Alley adjacent to Ruth Humphries theatre for gathering area/beer garden. Run/walk will begin here, go down Lomathen down to ballpark & along trail & back up.
(attach map if applicable)

Estimated Number of People Expected to Attend this Event: ~100

I have read, fully understand, and agree to the terms of this Private Event Permit, any attached pages, and the City of Creede's Public Property Event Policy and Procedures:

Applicant: Gunnar Nelson 2/24/14 Date

City Clerk: 2/24/14 Date

SHERIFF'S DEPARTMENT NOTIFICATION: 4-3-14 Date

Pre-Event Site inspection by: City _____ Applicant _____ Date and Time: _____

Post-Event Site inspection by: City _____ Applicant _____ Date and Time: _____

FOR ADMINISTRATIVE USE ONLY

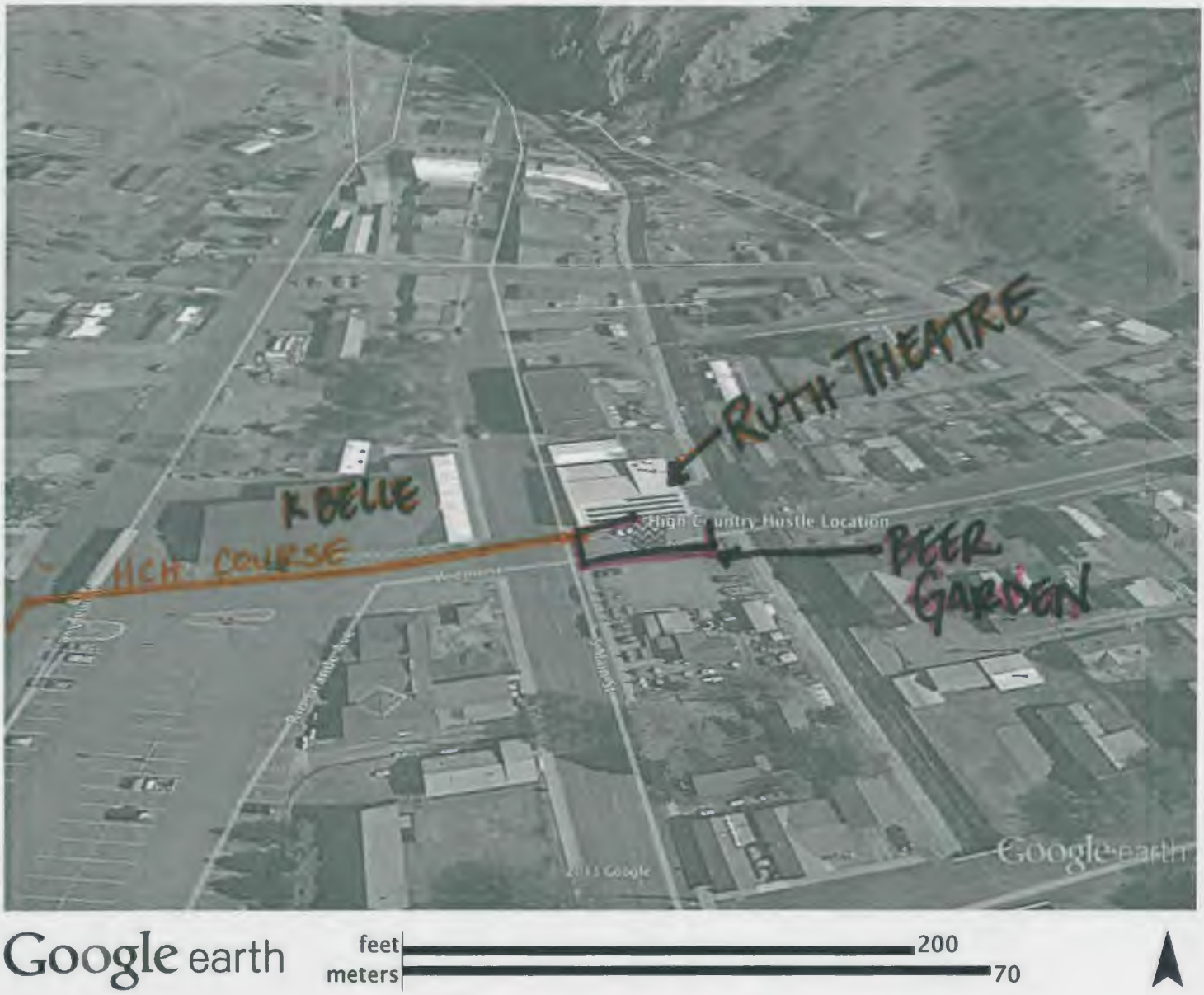
Application Received 2/24/14 Fee 50 (+100 SEP) Date Paid 2/24/14

License Agreement Attached? Y € N ☒ Proof of Insurance Attached? Y € N €

Board of Trustees Meeting Date 4/8/14

Approved by Board of Trustees this _____ day of _____, 20 _____

Attest: _____ City Clerk



HIGH COUNTRY HUSTLE BEER GARDEN

Intended control method is to use orange snowfence around the perimeter of the event/beer garden

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.

==========

Type of Action Requested: Approve Special Events Permit to sell malt, vinous and spirituous liquor at a special event.

Applicant: Colorado Rio Grande Restoration Foundation for High Country Hustle

Current Licensee: Same.

Factual Findings:

- Time, date and type of events to be permitted:
  10:30AM-5:30PM, April 26, 2014
  High Country Hustle Beer Garden
- The premise for the event is town property as shown on attached premise map. The applicant is seeking permission to use the premises with a concurrent Private Permit Application.
- The notice of application for a Special Event has been posted on the premise for 10 or more days.
- Applicant is a non-profit in good standing with the State of Colorado
- Applicant is eligible to apply for a Special Events Permit.
- The location is eligible to be licensed.
- The Event Manager is Guinevere Nelson.
- Character of the applicant is not an issue for this request.
- All applicable fees have been paid.

Recommended Action

Consider approval of a Special Events Permit for Colorado Rio Grande Restoration Foundation.

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.

==========

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

Applicant: Kip's Grill

Current Licensee: Same.

Factual Findings:

- This entity has changed liquor license possession from husband/wife partnership ownership to sole proprietorship per DR8177
- The owner is Kip Nagy.
- Business address is 101 E. 5th 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.
- Min. Co. Sherriff's Office has had no issues with this license in the past year.

Recommended Action
Consider approval of application for Renewal from Kip's Grill of a Hotel & Restaurant Liquor License.

HEIL LAW & PLANNING, LLC

MEMORANDUM

TO: Board of Trustees, City of Creede
FROM: Eric Heil, City Attorney
RE: Residency of Mayor Eric Grossman
DATE: April 3, 2014

Summary: The Creede City Clerk forwarded a letter from Mr. Larry Lewis, received March 18, 2014, which questioned whether Eric Grossman was a resident the City of Creede and qualified to serve as the City's Mayor. I asked Mr. Grossman to submit a letter stating the status of his residency, which is attached to this memorandum. Mr. Grossman states in his letter that he maintains a residence in the City of Creede which he intends to be his primary residence. Colorado law holds that so long as a person has a residence, whether through ownership or lease, and intends such residence to be such person's primary residence, then such person meets the residency requirements to register to vote and to serve as an elected official.

Creede Municipal Code: The Creede Municipal Code states the following with regarding to residency qualification of the Mayor:

> **Sec. 2-2-20. Qualifications and vacancies.**
> (a) Qualifications. Each Trustee shall be a resident of the City and a qualified elector therein. If any Trustee shall move from or become, during the term of his or her office, a nonresident of the City, he or she shall be deemed thereby to have vacated his or her office, upon the adoption by the Board of Trustees of a resolution declaring such vacancy to exist.
> **Sec. 2-2-30. Mayor.**
> (a) The Mayor shall be elected to serve a term of four (4) years. The Mayor shall meet the same qualifications as a Trustee and, in the event of a vacancy in the office of Mayor; such vacancy shall be filled in the same manner as a vacancy in the offices of Trustee, as set forth in Section 2-2-20 above.

Colorado Law Defining Residency: §31-10-201 of the Colorado Municipal Election Code outlines the requirements for municipal electors: (1) eighteen years old, (2) be a citizen of the United States, and (3) "resided in this state for thirty days and in the municipal election precinct for thirty days immediately preceding the election at which the person offers to vote." In *Zivan v. Brook-Hitching*, 28 P.3d 970 (Colo.App.2001), the residency qualifications of a newly elected Councilperson were challenged. Telluride's Charter contained a provision which required residency in the town for one year immediately preceding the election. *Id*. at 972. Although the elected Councilperson owned a residence in Telluride, the Councilperson was residing and working in New York City during the preceding year.

The Court of Appeals looked to the Colorado Municipal Election Code for clarification as to the definition of residency. *Id*. at 973. Citing C.R.S. §31-10-102(8.5) "'Residence' means the principal or primary home or place of abode of a person as set forth in section 31-10-201(3)." C.R.S. §31-10-201(3) defines residence of a person as, "The residence of a person is the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his

Heil Law & Planning, LLC
2696 South Colorado Blvd., Suite 550
Denver, CO 80222
Office: 303.975.6120
Fax: 720.836.3337
E-Mail: eric@heillaw.com

habitation is fixed and to which a person, whenever he is absent, has the present intention of returning after a departure or absence therefrom, regardless of the duration of absence. In determining what is a principal or primary place of abode of a person, the following circumstances relating to such person may be taken into account: Business pursuits, employment, income sources, residence for income or other tax purposes, age, marital status, residence of parents, spouse, and children, if any, leaseholds, situs of personal and real property, and motor vehicle registration." *Id*. The Court in *Zivan* held that in determining residency, "[o]nce a person's legal residence has been established, his or her intention to keep it becomes the central factor in determining whether it continues. ***If a person maintains the present intention of returning, he or she may leave his or her voting residence, for even a lengthy period, without losing it.***" *Id*. [emphasis added], citing *Gordon v. Blackburn,* 618 P.2d 668, 671 (Colo.1980).

Therefore, under Colorado law, once legal residency is established a person may retain residency in a particular jurisdiction provided that such person has a physical legal residence and intends to maintain such residence as the primary residence and return to such residence after travel. Specifically, so long as Mr. Grossman maintains a residence in Creede, intends such residence to be his primary residence, and has not registered to vote elsewhere, it is my legal opinion that Mr. Grossman continues to satisfy the residency requirement and remains qualified to serve as the Mayor of the City of Creede.

Thanks, Eric

3/18/14

City of Creede
PO Box 457
Creede, CO 81130

To whom it may concern:

I was called by Mike Atwater, a non-resident of the City of Creede, who informed me that the mayor had voted on an issue involving ATVs.

He stated that Eric Grossman was not the mayor because he was not residing in the City of Creede and therefore should not have voted on that issue. I informed Mr. Atwater that I was not an official of the City, but that I would bring it to the attention of a City Official. Please forward this information to the appropriate City Officials.

Sincerely,

Larry M. Lewis
229 Bee McClure Drive
Creede, CO 81130

April 2, 2014
Mayor's Response to Lewis Complaint

TO: City Staff & Mr. Eric Heil
RE: Lewis Complaint, Residency of Mayor
CC: Town Board of Trustees, outgoing and incoming

Hello everyone.

With the town chatter about many things, the recent ATV tie-breaking decision, and a crazy couple of years personally, a letter about this topic was not unexpected. It's a welcome opportunity though to address this issue, and I appreciate the manner in which Mr. Lewis brings it to the forefront. As a former Trustee and esteemed member of the community, the respect and professionalism he's used here is much appreciated. I strive to do the same in this response.

As to the matter at hand, I arrived in Mineral County the summer of 1992, and I would be remiss if it was not said that I fell in love with Creede immediately. At that time my profession was exclusively the entertainment industry, and thus I traveled extensively. It should be noted at times I still do travel, for both city business, and those of a personal nature. Like a truck driver though, "roadies" travel just as much while still keeping, and having an address. I officially changed mine in 1997 from El Paso to Creede Colorado, gladly! Minus different addresses in an 8-block stretch of town, none have been outside of the town limits during this entire 17-year stretch. I have a valid Colorado driver's license, and voter's registration that are all a matter of record. Creede is my home.

In the spring of 2000, I began doing most of my professional business in San Francisco with the dot-boom still in full swing. All the while, I still maintained my Colorado address traveling back and forth every few weeks. That success gave me the funds to buy my house in 2006, and with business still good; I continued to commute back and forth. I was elected a Town Trustee in 2010 by a close vote, and two short years later, I became Mayor unopposed in April of 2012. I closed my San Francisco operation less than a month later. My dedication to the office has taken me through the highs of Hollywood, and the lows of a natural disaster. I am currently the emergency manager for the town, I serve on numerous boards, and attend more meetings than any sitting elected member of town government combined. I travel back to California only once a year now, in August for a 12-day gig.

All of this mostly volunteer public service doesn't insulate one from life's curve balls however. For example in the fall of 2010, my house began to go into foreclosure over a legal dispute with the servicer, and it has taken over 3 years to get the attention of the Colorado Attorney Generals Office, all the while representing myself. Now, thanks to the help of a local advocacy group, the matter should be concluded satisfactorily by the middle of this summer to my benefit, but it has been a long fight. In addition, I've had to scrounge up work this winter to survive the post fire business losses, and for a while my significant other lost her car due to an accident, which took our family triad down to one vehicle. On some days this winter my travels took me all over the valley in one day! Even with all of this inconvenience, none of it took me away from my duties that I took an oath to fulfill as Mayor. So my "roadie" life has continued somewhat, although not by choice! Even though my commute has been local, I find it all quite ironic considering in past years it was all over the country. The residency part of law requires intent, and I can't see how any of my actions have proven anything else but that Creede is my home.

Life circumstance is ones personal journey, and I did not give that up when I became Mayor. As a final bone of local contention that I would like to address and clarify, I was lucky to find a fantastic significant other after 20 years in the area, for it can get real lonely around here. The fact that she lives in Del Norte, and that her daughter goes to school in Crestone, doesn't mean I don't live in Creede. It takes time to consolidate two people's lives when they become romantically involved, even more so when a child is affected by the acts of adults. The trust needed to make important commitments of this type used to be called acts of courtship, and were respected. When did that change for I must have missed the memo? It's only been recently that we were able to get the now 8 year old to come up and try a day in the Creede school with her father's reluctant blessing, which went well enough to make a plan of enrollment for this coming fall. That was based on our schedule as a family, and simply could not be rushed for reasons that are frankly nobody's business. Especially for politics, or someone's beef and/or agenda!

My legal physical address is 209 La Garita Avenue, and has been since 2003. (I rented my house and had house sitters before I bought it contrary to rumors stating otherwise.) My legal mailing address is P.O. Box 341, and has been since 1997. My life continues to take twists and turns, some good, some bad, and I make no excuses nor ask for any sympathies on any of it. In the end, I am a dedicated, principled man doing a difficult job that I love to hate, and yet love with all my heart because Creede is, and has been my home… for over 20 years and counting, and no amount of town gossip takes that from me. My intention has always been Creede and many journeys' in life simply don't take straight lines while being traveled.

Politics is indeed, a dirty business.

Sincerely,

- Eric Grossman / Mayor, City of Creede

To the
Town Board of Trustees
April 8, 2014
Eloise Hooper

Vendors have been sending in their applications. Five food and eighteen craft vendors have reserved 32 spaces for the Days of ’92. Last year, at this time, when there was no threat of fire, eighteen vendors had reserved 24 spaces. Many of the vendors had me keep their fees from last year and apply them to this year’s event.

I have all of the week-long summer camps scheduled and some of the one-day workshops scheduled.

Two boys in Recreation, Bryce Day and Daylon Maze, rehearsed and performed two songs at the Creede Arts Council’s Annual Variety Show. They performed two original songs that were written in the 2003 Music & Songwriting Workshop when Kathy Hussey was instructing. They did a great job.

Movie Night is going well. There will be three more Movie Nights before the end of school.

Recreation has donated $500 to help out with supplies for the Soccer program. Heather said that about twenty youth from Creede registered for the program.

The Easter Egg Decorating and Egg Hunt is scheduled for April 19. The decorating will be held at the Chamber and the hunts at the playgrounds for the younger kids and at another location for older youth. After the hunts youth and parents can return to the Chamber for punch, cookies, and prizes.

April Building Report

Hello!

It has been a busy winter for building! I have done several inspections and consultations this month.

Here is a list of what is going on:

Permit #
13-10 Creede America Home complete and inspected
13-11 Creede America home inprocess almost ready for framing and rough inspection
13-14 Garage in final construction phase
13-16 Remodel framing inspection done/consultation done on concrete work
13-17 Creede America home framing inspection done
13-18 Accessory bldg not inspected yet
13-19 Pavillion initial inspection done will complete final next week
13-20 Home north Creede- foundation inspection complete, framing pending
14-01 Remodel in progress
14-02 Fuel station plans approved, consultation on remodel done
14-03 Data not available as of 4/3/14

If you have any questions please call me at (719)588-9541 .

Thank you,
Ramona

ORDINANCE 380

AUTHORIZING THE TRANSFER OF PROPERTY

WHEREAS, Colorado Revised Statute §31-15-713(1)(b) authorizes the City of Creede, a Colorado Town ("City") to dispose of municipally owned property upon such terms and conditions as the Board of Trustees deems appropriate; and

WHEREAS, D. Tom Headlee and Connie K. Popovich are the owners of record for Lot 21 in Block 39, North Creede, purchased by his family October 13, 1967. The property they've occupied over the years includes portions of Lots 20, 22, and 23 in Block 39, North Creede; and

WHEREAS, the southern portion of their property is encumbered by a thirty (30) foot right-of-way owned by the U. S. Forest Service road containing municipal utility lines and has never been able to be used as private property; and

WHEREAS, the Board of Trustees for the City of Creede, a Colorado Town have recognized this situation and feel transferring the property they've occupied over the years is in the best interest of the town.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF CREEDE, A COLORADO TOWN, THAT:

SECTION 1: Subject to the terms of this Ordinance, the "City" will convey by quit-claim deed portions of Lots 20, 22, and 23 in Block 39, North Creede to D. Tom Headlee and Connie K. Popovich as described in Exhibit A,.

SECTION 2: Subject to the terms of this Ordinance, D. Tom Headlee and Connie K. Popovich will convey by quit-claim deed the southern portion of lot 21, Block 39, North Creede to the City as described in Exhibit B.

SECTION 3: The parcel will be re-platted by resolution and named **"Tract 21R", Block 39"**, North Creede and recorded in the Mineral County Clerk & Recorder's office.

SECTION 8: City Staff is authorized to correct any typographical, grammatical, cross-reference, or other errors which may be discovered in any documents associated with this Ordinance and documents approved by this Ordinance provided that such corrections do not change the substantive terms and provisions of such documents.

SECTION 9: If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without

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the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Town Board hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "provision" means and includes any pare, division, subdivision, section, sub section, sentence, clause or phrase; the term "application" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the Town.

SECTION 10: This Ordinance shall take effect thirty days after the publication of this Ordinance by title only in accordance with C.R.S. §31-16-105.

INTRODUCED, APPROVED AND PASSED ON FIRST AND FINAL READING, on this _____ day of April 8, 2014.

BY:		**ATTEST:**	
_____		_____	
Eric Grossman, Mayor	Date	Randi Snead, City Clerk	Date

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EXHIBIT A

(City to Headlee/Popovich)

A tract of land located in a portion of Lot 20, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the parcel herein described, which corner is a point on the northerly line of said Lot 20, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 60°50'37" W a distance of 725.97 feet;
thence S 40°21'20" E a distance of 53.13 feet;
thence S 50°15'54" W a distance of 11.92 feet to a point on the west line of said Lot 20;
thence N 46°33'43" W along said west line a distance of 53.31 feet to the Northwest corner of said Lot 20;
thence N 49°38'40" E along the north line of said Lot 20 a distance of 17.68 feet to the point of beginning.

The tract herein described contains 785.3 square feet (0.018 acres), more or less

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

TOGETHER WITH

A tract of land located in a portion of Lots 22 & 23, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the parcel herein described, which corner is the Northeast corner of said Lot 22, from whence corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 57°36'50" W a distance of 712.11 feet; to the point of beginning.
thence S 46°33'43" E along the east line of said Lot 22 a distance of 53.04 feet;
thence S 50°15'54" W a distance of 37.97 feet;
thence N 40°21'20" W a distance of 52.32 feet to a point on the north line of said Lot 23;
thence N 49°38'40" E along the north line of said Lots 23 and 22 a distance of 32.23 feet to the point of beginning;

The tract herein described contains 1842.8 square feet (0.042 Acres), more or less.

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

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EXHIBIT B

(Headlee/Popovich to City)

A tract of land located in a portion of Lot 21, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the tract herein described, which corner is a point on the east line of said Lot 21, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 58°38'16" W a distance of 772.02 feet; Thence S 46°33'43" E a distance of 32.22 feet to the Southeast corner of said Lot 21; Thence S 43°26'17" W along the south line of said Lot 21 a distance of 25.18 feet to the Southwest corner of said Lot 21; Thence N 46°33'43" W along the west line of said Lot 21 a distance of 35.21 feet; Thence N 50°15'54" E a distance of 25.00 feet to the point of beginning.

The tract herein described contains 843.00 square feet (0.0.19 acres), more or less.

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

DRAFT

QUIT CLAIM DEED

(City to D. Tom Headlee and Connie K. Popovich)

THIS DEED, Made this _____day of April 2014 between the **City of Creede**, a Colorado Town, ("Grantor") whose address is P.O. Box 457, Creede, CO 81130 and D. **D. Tom Headlee** ("Grantee") whose address is PO Box 1253, Mora, NM 87732 **AND Connie K. Popovich** ("Grantee") whose address is PO Box 162, Mora, NM 87732.

WITNESSETH, that the grantor, for good and valuable consideration, the receipt and sufficiency of which are herby acknowledged, does remise, release, and quitclaim unto the Grantee, its successors and assigns forever, all the right title, interest, claim and demand which the Grantor has in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A tract of land located in a portion of Lot 20, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the parcel herein described, which corner is a point on the northerly line of said Lot 20, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 60°50'37" W a distance of 725.97 feet;
thence S 40°21'20" E a distance of 53.13 feet;
thence S 50°15'54" W a distance of 11.92 feet to a point on the west line of said Lot 20;
thence N 46°33'43" W along said west line a distance of 53.31 feet to the Northwest corner of said Lot 20;
thence N 49°38'40" E along the north line of said Lot 20 a distance of 17.68 feet to the point of beginning.

The tract herein described contains 785.3 square feet (0.018 acres), more or less

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

TOGETHER WITH

A tract of land located in a portion of Lots 22 & 23, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the parcel herein described, which corner is the Northeast corner of said Lot 22, from whence corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 57°36'50" W a distance of 712.11 feet; to the point of beginning.

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thence S 46°33'43" E along the east line of said Lot 22 a distance of 53.04 feet;
thence S 50°15'54" W a distance of 37.97 feet;
thence N 40°21'20" W a distance of 52.32 feet to a point on the north line of said Lot 23;
thence N 49°38'40" E along the north line of said Lots 23 and 22 a distance of 32.23 feet to the point of beginning;

The tract herein described contains 1842.8 square feet (0.042 Acres), more or less.

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF; Eric Grossman, Mayor of the City of Creede, Colorado, has executed this deed on the date set forth above.

City of Creede, a Colorado Town

_____
Mayor, Eric Grossman Date

Attest:

_____
City Clerk, Randi Snead Date

STATE OF COLORADO }
} SS.
COUNTY OF MINERAL }

The forgoing instrument was acknowledged before me this ____ day of April, 2014 by Eric Grossman as Mayor of the City of Creede, a Colorado Town and by Randi Snead as City Clerk of the City of Creede, a Colorado Town.

Witness my hand and official seal.
My commission expires: _____

_____
Notary Public

DRAFT

QUIT CLAIM DEED

(D. Tom Headlee and Connie K. Popovich to City)

THIS DEED, Made this _____day of April 201 between **D. Tom Headlee and Connie K. Popovich** ("Grantors") whose addresses are respectively; PO Box 1253, and PO Box 162, Mora, NM 87732 and the **City of Creede**, a Colorado Town, ("Grantee") whose address is P.O. Box 272, Creede, CO 81130.

WITNESSETH, that the grantors, for good and valuable consideration, the receipt and sufficiency of which are herby acknowledged, does remise, release, and quitclaim unto the Grantee, its successors and assigns forever, all the right title, interest, claim and demand which the Grantors have in and to the real properties, together with improvements, if any, situate, lying and being in the County of Mineral and State of Colorado, described as follows:

A tract of land located in a portion of Lot 21, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of the tract herein described, which corner is a point on the east line of said Lot 21, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 58°38'16" W a distance of 772.02 feet; Thence S 46°33'43" E a distance of 32.22 feet to the Southeast corner of said Lot 21; Thence S 43°26'17" W along the south line of said Lot 21 a distance of 25.18 feet to the Southwest corner of said Lot 21; Thence N 46°33'43" W along the west line of said Lot 21 a distance of 35.21 feet; Thence N 50°15'54" E a distance of 25.00 feet to the point of beginning.

The tract herein described contains 843.00 square feet (0.0.19 acres), more or less.

SUBJECT TO any existing easements and/or rights-of-way of whatsoever nature.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantees, their heirs and assigns forever.

DRAFT

IN WITNESS WHEREOF; Eric Grossman, Mayor of the City of Creede, Colorado, has executed this deed on the date set forth above.

City of Creede, a Colorado Town

_____
Mayor, Eric Grossman Date

Attest:

_____
City Clerk, Randi Snead Date

STATE OF COLORADO }
} SS.
COUNTY OF MINERAL }

The forgoing instrument was acknowledged before me this ____ day of April, 2014 by Eric Grossman as Mayor of the City of Creede, a Colorado Town and by Randi Snead as City Clerk of the City of Creede, a Colorado Town.

Witness my hand and official seal.
My commission expires: _____

_____
Notary Public

DRAFT

Resolution No. 2014-06

THE RE-PLAT OF TRACT 21R, BLOCK 39, NORTH CREEDE

WHEREAS, the City of Creede is a municipality in the State of Colorado and has the statutory and legal authority to enact, enforce, and amend or suspend, ordinances, resolutions and regulations; and

WHEREAS, D. Tom Headlee and Connie K. Popovich are the owners of a tract of land being fractions of Lots 20, 21, 22, and 23 in Block 39 , North Creede, City of Creede, being more particularly described by metes and bounds as follows:

A tract of land located in a portion of lots 20- 23, Block 39, Town of Creede A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado being more particularly described by metes and bounds as follows:

Beginning at the northwesterly corner of the tract herein described, being a point on the north line of said Lot 23, from whence Corner 10, Creede Townsite bears N 55º06'19" W a distance of 703.22 feet;

Thence N 49º38'40" E along the north lines of said Lots 23, 22, 21, and 20 a distance of 75.06 feet;
Thence S 40º21'20" E a distance of 53.13 feet;
Thence S 50º15'54" W a distance of 75.07 feet;
Thence N 40º21'20" W a distance of 52.32 feet to the point of beginning.

The above described tract contains 0.09 acres (3,920 square feet) more or less.

This tract is subject to any and all existing easements and or rights of way of whatsoever nature.

WHEREAS, D. Tom Headlee and Connie K. Popovich have surveyed and replatted this property and desire it to be designated as "Tract 21R, Block 39", North Creede.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, A COLORADO TOWN, THAT:

SECTION 1: The Board of Trustees have determined that it is in the best interest of the citizens of the City to authorize the requested replat.

SECTION 2: The Board has determined that all requirements for submitting the replat have been met by the applicants.

SECTION 3: The above-described property has been replatted and will be recorded as **"Tract 21R, Block 39", North Creede"**, City of Creede, and Mineral County, Colorado.

APPROVED AND ADOPTED by the Board of Trustees this 8th day of April 2014.

CITY OF CREEDE: **ATTEST:**

Mayor	Date	Attest; City Clerk	Date
Eric Grossman		Randi Snead	

DRAFT

City of Creede

A Colorado Town

P.O. Box 457
Creede, CO 81130
(719) 658-2276
Fax 658-2017

Est. 1892

April 8, 2014

Dawn Kemper
Miners & Merchants Bank - Creede
P. O. Box 459
Creede, CO 81130-0459

Re: Removal of Signers, Addition of New Signers and Current Signers for the City of Creede

At our regular meeting April 8, 2014, the Board of Trustees approved making the following changes to signers of Creede's bank accounts.

Please remove the following signer(s) from the City of Creede bank accounts:
Edward J. Skroch

Please add the following signer(s) to the City of Creede bank accounts:
Merolyn K. Wyley

City of Creede bank accounts:

200-263	204-188
204-498	204-501
254-010	360-430
360-422	360-449
CD 651232	

The other current signers on these accounts should remain:
Randi Snead
Clyde Dooley

If your records indicate something different, please contact Randi at the City.

Eric Grossman, Mayor	Molly McDonald, Trustee
Teresa Wall, Trustee	Elizabeth Zurn, Trustee
Kay Wyley, Trustee	Catherine Kim, Trustee
Heather DeLonga, Trustee	Attest, Randi Snead, Town Clerk

Manager's Report

To: Mayor and Board of Trustees
Date: April 8, 2014
From: Clyde Dooley

Creede Early Learning Center – Administrative Direction

As you can see from the attached letter, the Creede Early Learning Center is exploring the renovation of the basement of one of the buildings at the old Fish Hatchery. We wrote the attached letter of support and will submit everything to the Division of Wildlife [DOW] for their approval of the project. As Jonathan mentioned in his letter, we'll ask them if they'll pay for the plumbing and electrical improvements to their property.

Recommendation: Approve this project as Lessee and give me direction to contact the DOW for their approval and support.

Tomkins Lease Agreement – Update

At last month's work session I was asked to draft an agreement and send it to Nick. I modified the agreement we got from our attorney and I'm waiting for Nick's response. I'm sure I'll have something in time to discuss this at our work session on the 22nd.

I was also asked to come up with a formula that would allow us to be more consistent with our lease agreements. This is going to be a work in progress because the specific situations in many of our agreements are so different. I also think it will be worth the effort if we can try and classify some of the more common issues. Issues like intergovernmental agreements or agreements with non-profits, residential or commercial property. The use of the land is always going to be a main concern when we consider existing with proposed use.

2014 Consumer Confidence Report – FYI

We received and completed the Drinking Water Quality Report for 2013. There's a copy of it posted here, the court house and the post office. I've attached the first page that discusses the general information. Again this year we had no violations, significant deficiencies or formal enforcement actions. If you'd like a copy of the entire report, please let me know.

Creede Community Church – FYI

Jeff Scott with the Creede Community Church called last week and asked if they could "bless the pets" in Basham Park on the 27th of this month between 12:15 AM and 1:00 PM. They will be responsible for cleaning up after the pets. I told him I didn't see a problem with it, but would run it by the Board to see if there were any issues.

Brennand, Myers, and LaMee – Update

The land use application submitted in August of 2012 and approved by the Board of Trustees in December of 2013 to clarify and replat these properties was finally completed last week. With this project done I'll have Keith update our city map.

Biernat Replat – Update

Anne Pizel submitted a land use application on behalf of Al Biernat and Mike Grant to replat their properties in Block 43, South Creede. I'm waiting on the title commitment from Mike and then they'll need to get a survey.

Biernat Encroachment Agreement – FYI

Al Biernat asked us for a waiver or variance to build a fence on the side of the hill southwest of his property. This property happens to be platted but not established city streets. Our attorney recommended an encroachment agreement instead of a waiver/variance and I'll present it to the Planning Commission next week. I anticipate this being ready for your consideration at our May meeting.

Simon Property – Update

I received the title commitment for Caleb and Rebecca's property in North Creede the end of last month. This will allow me to finish processing their land use application to clarify and replat their property in North Creede. This project will take some negotiations as their title is clouded with several encumbrances. I'll initiate this project next week with the Planning Commission and anticipate this being a three or four month process.

Creede Mining Heritage, Inc. – Update

Creede Mining Heritage, Inc. submitted an application in January to plat the Sunnyside Chapel and Bob Ford Gravesite property in the Creede America Subdivision. When phase 1 of this subdivision was done, for some reason these two properties were overlooked. The Board of Trustees agreed to waive the $500 fee providing any out-of-pocket expenses incurred by the city would be reimbursed. I'm still working with Avery on this application and will keep you informed of the progress.

Bee McClure Annexation – Update

I received the preliminary survey on the portions of the county roads in the Creede America Subdivision area we're discussing annexing. I'll have more on this for our work session on the 22nd.

Track 16R, Block 39, North Creede – FYI

I've also received the preliminary survey for re-platting the City property directly northeast of Tom Headlee's in North Creede and will discuss it with the Planning Commissioners next week and anticipate this being ready for your approval next month.

The Old Firehouse – FYI

I received a land use application from Mammoth Mountain Properties to clarify and replat their property in Block 25, South Creede. This is a project approved by the Board back in 2007 and we've just had to wait for individual property owners over the years. I'll present this to the Planning Commission next week as well and see it being ready for your consideration in May.

Birdsey Property – FYI

Shane and Susan Birdsey asked the City to trade them some land back in December of 2000 to help them clear up their title to their property in Block 47, South Creede. There appears to be a lot of errors made in that effort and I'm trying to sort them out and work with

our attorney on the best remedy. So far in my research, I've been unable to determine if there was ever an application and/or fee involved with this request.

I hope to have a recommendation to the Trustees in May or June.

Lower Willow Creek Restoration Company – FYI

J.B. Alexander would like to improve the old railroad bridge that crosses the lower part of the flume. The railroad right-of-way was abandoned by the Surface Transportation Board in 2008 and we gave Don Shank until 2011 to get the rails and ties he wanted out of town. J.B.'s plan is to put planks of wood over the existing ties on the bridge to make it safer and easier to walk on.

Special Improvement District – Update

Last November we sent letters to the property owners in Blocks 47, 48, 49, and 50 in South Creede asking them for their thoughts on developing the alley through these blocks. Of the thirty-four (34) letters we sent out we've received two written replies; one supporting the idea and the other not. There are thirty-eight (38) property owners in these blocks and to start the process for an improvement like this, it requires a petition of 50% of the property. So at this point, we're waiting to hear from more of the property owners.

City and County Retreats – FYI

For the new Trustees, the first Wednesday of March, June, September, and December at 5:30 pm are the City and County Retreats.

Rio Grande Street/Avenue design – Update

I presented Ron McLaughlin's preliminary plan for improvements to the Rio Grande Street area between 3rd and 5th to the Planning Commission last month. The Commissioners leaned toward keeping the parking area Avery had in his design. Next month they plan to look and the two plans together to start coming up with a recommendation for the Trustees.

Tract 16R, Block 39, North Creede – FYI

Keith Luttrell and I finally got the City property directly northeast of Tom Headlee's surveyed and I'll have the replat ready for your approval in April.

U. S. Forest Service Land Swap – Update

We've identified and surveyed the property we want to exchange with the Forest Service and the County is in the process of identifying the three properties they want to exchange. Once they've done that we'll sit down with the Commissioners and enter some kind of memorandum of understanding or agreement on how to start the process with the Forest Service. At this time the plan is for us to commit the property and the County will pay the appraisal, surveying and other expenses involved in the process.

February Finances – FYI

		YTD
General Fund	13,897	12,198
Capital Improvement Fund	(1,042)	2,380
Conservation Trust Fund	1	2
Virginia Christensen Fund	35	(9,929)
Water & Sewer Fund	7,801	27,473
Net	20,692	32,124

City Sales Tax: is up $886 for the same period last year, and up $1,462 compared to last February.

City Funds total $1,971,108 through the end of February. That's up $576,506 for the same period last year and up $29,593 from last month. [This is the tool I use to keep track of the funds we have in the bank. I use this spreadsheet to not only keep track of our short term financial stability, but also the long term fiscal sustainability. Fiscal sustainability strategies build the capability of a government to consistently meet its financial responsibilities, both in the short term by adjusting spending to revenues and revenues to spending, and in the long term by protecting future capital improvement plans and future generations of fiscal abilities.]

Budget Fund Balances: Budget fund balances are provided to us once a year after our audit. Please let me know if you'd like to see the spreadsheets &/or audits.

Please stop by the office if you'd like to look at any of these spreadsheets.

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March 20, 2014

To Whom It May Concern,

The City of Creede has a ninety-nine (99) year Lease Agreement with the Department of Wildlife since 1997 for the property at 19841 Forest Service Road 801A, the current location of the Creede Early Learning Center (CELC). The CELC has a Lease Agreement for Property Use with the City of Creede that allows use of the property for daycare services as long as the City holds the lease with the Department of Wildlife. While this lease includes termination clauses, the CELC has used the property since 1997 and the City has no need for any alternative use of the property, and expects to lease to the CELC free of charge for the foreseeable future in support of area daycare services.

Please feel free to contact our offices at (719-) 658-2276 if further clarification is needed.

Best regards,

Randi Snead

Creede Town Clerk

CELC Building Committee Meeting
Narrative and SOW for City and DOW 4-20-14

Building Committee:
Jonathan D. Allsup (Chair),Ryan Prince, Damon Gibbons, Joni Adelman (Board President), Jenny Van Ry (Staff)

The Creede Early Learning Center Board of Directors, led by the building committee is exploring the renovation of the basement of the building designate as foreman's residence #6 at the property known as "The Hatchery". These renovations serve a two-fold purpose. The primary purpose is to provide additional square footage that the kids at the Early Learning Center will use for gross-motor-skill development and also an alternative site for play during in climate weather. Also, this additional square footage will allow for the possible expansion of the certification of the Early Learning Center to allow for expanded enrollment (the center currently runs at or near capacity throughout the year). The secondary, but arguably more important of the two reasons, is to provide the building with sustainable plumbing and electrical systems. These two systems are antiquated, frail, and prone to disrepair.

The renovations include the following Scope of Work:

Plumbing (throughout the entire building, not limited to the basement)
Soil & Radon Tests
Electrical – Outlets & Ceiling Lighting in basement
Egress Window*
Drop Ceiling*
Padded Flooring*
Stairs Reconstruction* (bring to code-compliance re: rise and run and railings)
*Included in Qualistar Grant Request

The CELC is currently in the application process for a grant from "Qualistar" for funds to accomplish part of this project including (as indicated in the scope of work above) the egress window, drop ceiling, padded flooring, and stairs reconstruction.

The CELC Building committee is requesting permission from the City through the Lease Agreement for Use of Property to accomplish this renovation and also, alongside the CELC, to request, from the DOW both permission for the renovation and, as per the Lease Agreement between the City and DOW dated 25 November 1997 Sec 2c., funds from the DOW for "costs of any improvement made by Lessee to the hatchery" for the Plumbing and Electrical portions of the scope of work.

We are on an accelerated timeline for the project. We would like to have children in the basment by the beginning of the next school year (August 2014). Given the timeline, the importance of serving the increasing number of young families in the Creede area, and the limited capacity of the current Early Learning Center, we hope to hear back from both the City and DOW within the next two weeks. The Building Committee plans to be at the City Board of Trustees meeting on Tuesday, April 8th at 5:30 PM, however any correspondence that can happen in the meantime is welcome by emailing Jonathan D. Allsup, the building committee chair at Jonathan@creederep.com or calling his cell phone at 719.480.1466.

Thank you so much for your timely consideration of not only the permission required for us to accomplish this much-needed renovation and more importantly the City's and DOW's monetary participation in this project,

Jonathan D. Allsup, on behalf of the CELC Building Committee

CREEDE TOWN OF 2014 Drinking Water Quality Report
For Calendar Year 2013

Public Water System ID: CO0140500

Esta es información importante. Si no la pueden leer, necesitan que alguien se la traduzca.

We are pleased to present to you this year's water quality report. Our constant goal is to provide you with a safe and dependable supply of drinking water. Please contact CLYDE DOOLEY or ROBERT SCHLOUGH at 719-658-2276 with any questions about the Drinking Consumer Confidence Rule (CCR) or for public participation opportunities that may affect the water quality.

General Information

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (1-800-426-4791) or by visiting http://water.epa.gov/drink/contaminants.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immunocompromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV-AIDS or other immune system disorders, some elderly, and infants can be particularly at risk of infections. These people should seek advice about drinking water from their health care providers. For more information about contaminants and potential health effects, or to receive a copy of the U.S. Environmental Protection Agency (EPA) and the U.S. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and microbiological contaminants call the EPA Safe Drinking Water Hotline at (1-800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial contaminants:** viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- **Inorganic contaminants:** salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- **Pesticides and herbicides:** may come from a variety of sources, such as agriculture, urban stormwater runoff, and residential uses.
- **Radioactive contaminants:** can be naturally occurring or be the result of oil and gas production and mining activities.
- **Organic chemical contaminants:** including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and also may come from gas stations, urban storm water runoff, and septic systems.

In order to ensure that tap water is safe to drink, the Colorado Department of Public Health and Environment prescribes regulations limiting the amount of certain contaminants in water provided by public water systems. The Food and Drug Administration regulations establish limits for contaminants in bottled water that must provide the same protection for public health.