

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
October 9, 2007**

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 5:33 PM. There being present at the call of the roll the following persons:

PRESENT: Debbie Wylesky, Eldon Seime, Joe Keller (arr. 6:04 PM),
Rex Shepperd, Dana Brink
ABSENT: Kim Nagy

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

Pamela Wilson, City Clerk/Treasurer
Clyde Dooley, City Manager
Benjamin Gibbons, City Attorney

REVIEW AGENDA

Recycle Creede was added as (f) of Reports and Presentations. Trustee Shepperd moved and Trustee Wylesky seconded to approve the agenda as amended. The vote was unanimous. Mayor Seime declared the motion carried.

APPROVAL OF MINUTES FOR SEPTEMBER 11 AND 28, 2007

Trustee Brink moved and Trustee Shepperd seconded to approve the minutes of September 11, 2007, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Brink moved and Trustee Wylesky seconded to approve the minutes of September 28, 2007, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

MONTHLY DISBURSEMENTS

Questions were asked and answered. Trustee Shepperd moved and Trustee Wylesky seconded to approve the monthly disbursements as presented on the September 2007 check detail report. The vote was unanimous. Mayor Seime declared the motion carried.

REPORTS AND PRESENTATIONS

BUILDING INSPECTOR'S REPORT

Mike Kolisch was not available to answer questions about his report. The Trustees reviewed Kolisch's report. City Manager Dooley made a correction to the report that item number eleven, Mark Tiley, had not yet obtained his permits.

RECREATION REPORT

Eloise Hooper, the Creede/Mineral Arts and Recreation (CMAR) Director, was available to answer questions about her report.

WRITTEN REPORT

This includes the Chamber report to be read at the Board's leisure.

PRESENTATION AND REQUEST – CHAD AFANADOR

Chad Afanador presented a written request to the Board of Trustees from himself and his wife, Jessica Baron regarding the Dellenbaugh cabin located at 113 E. Wall Street. Afanador explained that they are in negotiations to purchase the property to live in. The property is zoned B-1 Business; whereas, a single family detached dwelling is a "conditional use." Afanador's request is that he and Baron be permitted to use the cabin as a residence. Questions were asked and answered. Trustee Brink moved and Trustee Wylesky seconded to grant the

conditional use with the follow through from the Planning and Zoning Commission. The vote was unanimous. Mayor Seime declared the motion carried. Afanador thanked the Board for their time and consideration.

SUSTAINABLE ENVIRONMENTAL & ECONOMIC DEVELOPMENT (SEED) PARK PRESENTATION

Jim Mietz of San Luis Valley Resource Conservation & Development (SLVRC&D) presented the SEED information to the Board of Trustees. Mietz provided a brochure to the Board and explained the intent is to build a multi-faceted "Recycle Center" in the San Luis Valley. SLVRC&D is focused on energy, jobs, recycling waste, forestry and agriculture products. A stakeholders meeting has been scheduled at Adam State College on Saturday, December 1, 2007, to provide more information and hopefully generate more interest and support for this project.

Trustee Keller arrived near the end of this presentation at 6:04 PM.

"RECYCLE•CREEDE" PRESENTATION AND REQUEST – CARY BUSH

Cary Bush, currently a part-year resident of Creede, explained to the Board of Trustees of the incredible success of the recycling program that she set up in late May 2007, as an experiment to determine the amount of interest that Creede has in recycling. At this time, Bush is hauling all of the recyclables to Boulder County under the umbrella of an established company called Green Girl. There are a few recycle locations in and around the San Luis Valley, but no one of them handles all the recyclables Bush is currently accepting. Bush provided on paper and explained the financial information of this program and what she and her husband have personally contributed. Her request of the City of Creede is for the Board of Trustees to consider some sort of subsidy to help the recycling program. Bush suggested that a recycling service charge be added to the resident's monthly utility bill. The Board encouraged Bush to erect a pole similar to what the City uses at the RV dump station to collect donations. The Board of Trustees said they would discuss this issue further at a work session while they are working on the 2008 budget. With the new year, Bush informed the Board; "Recycle Creede" will be operating as a 501(c)(3) non profit corporation and will start applying for available grants for recycling programs. Bush thanked the Board for their support and consideration.

PUBLIC HEARINGS

ORDINANCE 343 – DECLARING THE CREEDE MUNICIPAL COURT TO BE A QUALIFIED MUNICIPAL COURT OF RECORD

Trustee Shepperd moved and Trustee Brink seconded to open the public hearing for public comment. The vote was unanimous. Mayor Seime declared the motion carried.

No one had signed up to speak at this public hearing.

Trustee Shepperd moved and Trustee Brink seconded to close the public hearing to public comment and return to regular session. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Shepperd moved and Trustee Wylesky seconded that Ordinance 343 be passed, approved and adopted. By roll call vote of the present Trustees, the vote was unanimous. Mayor Seime declared the motion carried. This ordinance will be published by title in the October 18, 2007, *Mineral County Miner* and become effective thirty days following said publication.

OLD BUSINESS

RESOLUTION 07-13 – AUTHORIZING A LETTER OF SUPPORT TO BE SENT TO GOVERNOR BILL RITTER FOR THE EPA LISTING

Mineral County Commissioners Marvin (Zeke) Ward, Bill Philbern and Karl Kolisch (late arrival) were present at this meeting to comment and discuss the Governor's Letter for the proposed EPA listing of the Nelson Tunnel/Commodore wasterock site. Questions were asked and answered. Commissioner Philbern expressed his concern about the Poxons and their financial well-being in this matter. It was agreed by the Trustees and the Commissioners that this listing must be kept in the public eye that this is where the accountability will come from.

Trustee Shepperd moved and Trustee Keller seconded to approve and adopt Resolution 07-13. The vote was unanimous. Mayor Seime declared the motion carried. The Board of Trustees agreed that Trustee Shepperd and Commissioner Ward should coordinate to hand deliver the letter to the Governor where they can answer any

questions concerning the City's and County's concerns about the proposed listing. Gwen Christiansen of the EPA is to be contacted to make certain the hand delivery of this letter is following protocol.

NEW BUSINESS

RESOLUTION 07-14 – VESTING GANT PROPERTY RIGHTS

Avery Augur, as a representative for Evelyn Gant, was available to present Gant's request and answer questions. A plat of Gant's property has been filed with the City for review prior to approval. If approved, Gant is not required to pay an impact fee, this fee is required up front when annexed; however, Gant is required to pay a water resource fee to secure the right to tap into city services. After reviewing and discussing the verbiage in Resolution 07-14, Trustee Shepperd moved and Trustee Brink seconded to approve and adopt Resolution 07-14 as amended. The vote was unanimous. Mayor Seime declared the motion carried.

PRELIMINARY PROPOSED 2008 BUDGET MESSAGE

City Manager Dooley presented the proposed 2008 budget to the Board of Trustees. A budget message was attached for the Board to review. A series of work sessions will be scheduled to work on the budget numbers between now and the approval and appropriation of the 2008 budget at the December 11, 2007, meeting.

CITY MANAGER'S REPORT

The points discussed and the actions taken were as follows: Approval was given to staff to use the same artwork and ad size and send in the discounted payment of \$425 by November 1st to the CRT 2008 program.

City Manager Dooley explained that he had received a quote less than five thousand dollars from Franke Excavating of South Fork to replace the culvert and place drainage boxes with grates at Sixth and Main Streets. The Board of Trustees Directed Dooley to advertise for bids for this project.

City Manager Dooley presented a request on behalf of Mike Warrick to purchase a portion of the temporary sidewalk that was built in front of the downtown business reconstruction area. Following a discussion with the Board of Trustees about the "Board Walk" project and expense, Dooley was directed to ask Warrick what he is willing to pay that is no less than \$400.

City Manager Dooley asked that the general consensus reached during discussion of the Fief property in south Creede at last month's work session to be restated for the record. After further research at the Board's request, Dooley's best guess on the zoning of this property is that it was intended to be zoned B-2 - Highway Business, but that someone spoke up and asked for it to be zoned B-1 - Downtown Business. Dooley was directed, for the record, to have Fief rezone his property for what it is being used, MH – Mobile Home Park.

The Trustees agreed to have a budget work session on Tuesday, October 16, at 5:00 PM and have their regular work session, which may still include a budget discussion, on Tuesday, October 23, at 5:00 PM.

This report had other informational only items in it as well.

ADJOURN

There being no further business to come before the Board at this time, Trustee Shepperd moved and Trustee Brink seconded that the meeting be adjourned at 7:17 PM. The vote was unanimous. Mayor Seime declared the motion carried.

Respectfully submitted:

Approved by Board of Trustees:

Pamela J. Wilson, City Clerk/Treasurer

Eldon M. Seime, Mayor