

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
November 8, 2005**

REGULAR MEETING

The Town Board 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 6:48 p.m. There being present at the call of the roll the following persons:

BOARD MEMBERS: John Goss (arr. 7:46 p.m.), Debbie Wylesky, Henry Brink (arr. 7:27 p.m.), Eldon Seime, Chuck Barnes, Martha Owens (arr. 7:13 p.m.), Gene Dooley

Mayor Seime, presiding, declared a quorum present:

Those members of staff also present were as follows:

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

REVIEW AGENDA

During this time, Trustee Barnes took the opportunity to recognize Planning and Zoning's efforts to complete the encroachment policy and recommend it to the Board by the requested deadline. Trustee Barnes asked to add New Business (d) Approve a request for Homestead Act (Re: 11/4/05 work session – encroachment).

APPROVAL OF MINUTES FOR OCTOBER 6, & 11, 2005

Trustee Dooley moved and Trustee Wylesky seconded to approve the minutes of October 6, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Barnes moved and Trustee Dooley seconded to approve the minutes of October 11, as presented. The vote was unanimous. Mayor Seime declared the motion carried.

ACCEPT AND PAY BILLS

Trustee Barnes moved and Trustee Dooley seconded to accept and pay the bills as presented on the October 2005 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 question from the Board. A written report was given to the Trustees on building projects within the Town. The report was reviewed and questions were asked and answered. Item #2 on Michael "T-Black" Pitre was discussed further. Kolisch noted and City Manager Dooley confirmed that T-Black had applied for a building permit after he had constructed his structure and there are possibly multiple problems with it. Trustee Barnes moved and Trustee Wylesky seconded to address this as well as similar issues and possible penalties for non-compliance. The vote was unanimous. Mayor Seime declared the motion carried.

Non-compliance issues were further researched and it was discovered that authority was given to the building inspector/official to enforce all building code violations per the adoption of the *2003 International Building Code*.

SHERIFF'S REPORT

Sheriff Leggitt was not present to give a verbal report about the law enforcement activities of last month. Sandy Kroll was out of the office for a week, and a written report was not prepared either.

CHAMBER OF COMMERCE REPORT

President of the Chamber, Donna Bruce, was available to answer questions about this report. Bruce also reviewed the progress of the Visitor Information Center building project. Questions were asked and answered.

WRITTEN REPORTS

This includes the Recreation report. This report is to be reviewed at the Board's leisure. City Manager Dooley was asked for a brief update on the skate park since his conversation with Deanna Phenix.

OLD BUSINESS

CREEDE AMERICA GROUP, LLC ANNEXATION PETITION

Avery Augur, general manager for Creede America Group, LLC was present to answer any questions the Board might have about the annexation petition. There were no questions. Trustee Barnes moved and Trustee Wylesky seconded to approve Resolution 05-10 finding the Creede America Group, LLC annexation petition substantially compliant. The vote was unanimous. Mayor Seime declared the motion carried.

City Manager Dooley informed the Board of a Planning and Zoning special meeting and zoning public hearing scheduled for 7:00 p.m. Monday, December 12, 2005. Dooley asked the Board to schedule a special meeting and annexation public hearing in December as well. This meeting is scheduled for 6:30 p.m. Monday, December 19, 2005. Notices will be posted, published, and mailed as per State statute.

Trustee Owens arrived now at 7:13 p.m.

NEW BUSINESS

VIRGINIA CHRISTENSEN ADVISORY COMMITTEE RECOMMENDATIONS

The report and recommendations from the advisory committee's November 3rd meeting was reviewed and discussed. These recommendations for funds to be granted also included having Creede/Mineral Arts and Recreation refund the balance of the fall 2004 grant that was received on behalf of the skate park committee and that the six biathlon rifles currently held by Laura Haefeli and the shooting traps and clays currently in the possession of Shane Birdsey should be stored here at Town Hall and loaned out as needed for events. Trustee Barnes moved and Trustee Dooley seconded to accept the recommendations of the Virginia Christensen Advisory Committee. The vote was unanimous. Mayor Seime declared the motion carried. The total amount granted this funding is \$12,400.

Trustee Brink arrived now at 7:27 p.m.

CITY TREASURER'S MEMO AND WALL, SMITH, BATEMAN & ASSOCIATES, INC. (WSB) LETTER

The Board received both a letter from the City Auditor's, WSB and a memo from the City Treasurer, Pamela Wilson requesting that the accounting books be set up differently than they are now. The treasurer is making this request and WSB is supporting it. Currently all funds of the City are operating as one company and there are several bank and cash accounts that are combined as "pooled cash." This is very difficult to balance and track the transactions accurately because these accounts cannot be reconciled in the computer, but rather must be reconciled by hand causing excess paperwork for both the treasurer and the auditors to review. The request is to open separate companies in the software and operate individual bank accounts within these companies. Some of the current bank accounts will need to be closed and funds transferred and some new accounts will need to be opened. All of this will be completed before January 1, 2006. Questions were asked and answered. Where the monies will be transferred from each account was decided and minor changes were made to the memo. Trustee Barnes moved and Trustee Wylesky seconded to adopt the recommendations of the City Treasurer as amended. The vote was unanimous. Mayor Seime declared the motion carried.

PLANNING AND ZONING COMMISSION RECOMMENDATION OF ENCROACHMENT POLICY

Trustee Barnes moved and Trustee Wylesky seconded to approve the encroachment policy recommended by the Planning and Zoning Commission. There were four yeas: Wylesky, Barnes, Owens, and Dooley. There was one nay: Brink. Mayor Seime declared the motion carried.

APPROVE A REQUEST FOR HOMESTEAD ACT

At a work session on November 4, 2005, Peter Calandrucchio and Stephanie Wood of 113 N. Loma Street here in Creede, had presented some information they had gathered regarding their property that appears to be and has been said to be encroaching on City right-of-way. They left the Board with questions to answer about a Homestead Act and asking the City for this property. Trustee Barnes moved and Trustee Wylesky seconded to accept an application for a quit claim deed from the City. The vote was unanimous. Mayor Seime declared the motion carried. City Manager Dooley will contact Calandrucchio and Wood and explain to them what they will need for this application process.

CITY MANAGER'S REPORT

The points discussed and the actions taken were as follows: A work session was set for December 2, 2005; at 9:00 a.m. to look at the Creede Resources Property and discuss potential uses for the property should the City acquire it.

The Creede Repertory Theatre (CRT) ad for the 2006 program was approved for payment. It will be a one-fourth block ad costing \$375.

City Manager Dooley is to get clarification from Mineral County as to what exactly the \$5,000 donation to nursing services is for. Dooley will present what he finds out at the December meeting.

Trustee Goss arrived now at 7:46 p.m.

The Creede municipal code was discussed. Trustee Barnes moved and Trustee Dooley seconded to adopt the Creede Municipal Code as presented. There were two yeas: Barnes and Dooley. There were four nays: Goss, Wylesky, Brink, and Owens. Mayor Seime declared this motion did not pass. Two work sessions were scheduled to review and discuss the Creede Municipal Code. Those dates are: November 17, and November 22, 2005, both at 7:00 p.m. The 2006 budget will also be discussed at the November 22nd work session.

Trustee Barnes moved and Trustee Dooley seconded that the City should pay the building inspector, Mike Kolisch for the first two building permits that the City waived for Mineral County Economic Development, Inc. (MCED). The vote was unanimous. Mayor Seime declared the motion carried.

Various other informational items were shared with the Board that required no action.

ADJOURN

There being no further business to come before the Board at this time, Trustee Brink moved, and Trustee Barnes seconded that the meeting be adjourned at 8:37 p.m. 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