

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
February 14, 2006**

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 6:37 p.m. There being present at the call of the roll the following persons:

BOARD MEMBERS: John Goss (arr. 6:49 p.m.), Debbie Wylesky, Henry Brink,
Chuck Barnes, Martha Owens, Gene Dooley
ABSENT: Eldon Seime

Mayor Pro-Tem Barnes, 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

New Business (e) was added to appoint an alternate Mayor Pro-Tem during the absence of Mayor Seime and Mayor Pro-Tem Barnes. New Business (f) was added for a discussion of an encroachment referendum.

APPROVAL OF MINUTES FOR January 10, 2006

Trustee Brink moved and Trustee Wylesky seconded to approve the minutes of January 10, as presented. The vote was unanimous. Mayor Pro-Tem Barnes declared the motion carried.

ACCEPT AND PAY BILLS

Trustee Owens moved and Trustee Dooley seconded to accept and pay the bills as presented on the January 2006 check detail report. The vote was unanimous. Mayor Pro-Tem Barnes declared the motion carried.

REPORTS AND PRESENTATIONS

BUILDING INSPECTOR'S REPORT

Mike Kolisch was not available to answer questions from the Board. A written report was given to the Trustees on building projects within the Town. The report was reviewed and discussed.

SHERIFF'S REPORT

Sheriff Leggitt was not available to answer questions about his report. Sheriff Leggitt's report reflected 1,405 miles and 478 hours had been patrolled in Town during the month of January. This report also reflected fourteen incidents and complaints, no citations and no accidents.

CHAMBER REPORT

Chamber President, Jimmy Collins was available to answer questions about this report. Questions were asked and answered. Collins mentioned a meeting of the Lodging Tax Board to meet with the Chamber Board to iron out some issues. Collins invited the Town Board members that wanted to attend to be there for support for the Chamber. The meeting is scheduled for 10:00 a.m. Saturday, February 25, 2006, at the Mineral County Courthouse.

Collins informed the Board that Avery Augur, the architect for the Visitor Information Center building project, will be providing new drawings.

Trustee Goss arrived during the discussion of this report at 6:49 p.m.

WRITTEN REPORT

This includes the Recreation report. This report is to be reviewed at the Board's leisure.

ELECTION 2006 UPDATE MEMO

City Clerk Wilson drafted a memo to the Town Board providing some of the important dates for the upcoming April 4, 2006, municipal election. Questions were asked and answered.

NEW BUSINESS

LIQUOR LICENSE RENEWAL – TOMMYKNOCKER TAVERN

Trustee Dooley moved and Trustee Goss seconded to approve the Tavern liquor license renewal for Tommyknocker Tavern. By roll call vote, there were four yeas and one nay (Wylesky). Mayor Pro-Tem Barnes declared the motion carried.

QUIT CLAIM DEED REQUEST FOR 108 WEST SEVENTH STREET (SHEPPERD)

Rex Shepperd of 108 W. Seventh Street presented a written request to the Town Board for a Quit Claim Deed for a portion of the property his structure is on that encroaches on public right-of-way. This portion of property is less than three square feet. Questions were asked and answered. Shepperd was asked to have a survey done so the City will have a legal description and size of the property to be transferred. Trustee Goss moved and Trustee Wylesky seconded that by Resolution the City will grant the requested Quit Claim Deed based on the forthcoming survey. By roll call vote, there were four yeas and one nay (Brink). Mayor Pro-Tem Barnes declared the motion carried. Shepperd will supply a survey with the quit claim deed.

RESOLUTION 06-03 – TRANSFERRING UNUSED FUNDS FROM THE CAPITAL IMPROVEMENTS FUND TO THE GENERAL FUND

This resolution authorizes the transfer of forty thousand dollars of unused Capital Improvement (CI) funds to the General Fund. Questions were asked about the origin of these funds in the CI fund. The Board felt that if any of this was Virginia Christensen fund monies or one half of the City sales tax that is designated for Capital Improvements, they would not approve this resolution because they are restricted funds. This item is tabled until the City Manager researches where these funds came from and any restrictions associated with them.

RESOLUTION 06-05 APPROVING REFERENDA VERBIAGE AND CALLING AN ELECTION FOR THESE REFERENDA

Trustee Brink moved and Trustee Wylesky seconded to approve resolution 06-05. The vote was unanimous. Mayor Pro-Tem Barnes declared the motion carried.

APPOINT ALTERNATE MAYOR PRO-TEM

Mayor Pro-Tem Barnes explained that he has to be out of Town for part of the same time that Mayor Seime is out of Town and someone of the Board members should be the “go-to” person in their absence and run any meetings that may be called during this time. Since Trustee Goss had been in this position in the past, Trustee Brink moved and Trustee Dooley seconded to appoint Trustee Goss as the alternate Mayor Pro-Tem. By roll call vote, there were four yeas and Trustee Goss chose to abstain from voting. Mayor Pro-Tem Barnes declared the motion carried.

DISCUSSION ON ENCROACHMENT REFERENDUM

Trustee Brink explained that he felt that the voters should decide how the encroachment issues in Town should be handled. The City Attorney and the City Clerk discussed the verbiage deadline for the April election. City Attorney Gibbons explained that it is too close to the municipal election to work on approving encroachment verbiage, but he would check into the City possibly being able to coordinate with the County for the November State general election. The Board administratively directed Gibbons to draft the questions about encroachment to go on a ballot. It was discussed that the current encroachment policy has a cutoff date of January 1, 2005 for working with the encroachments. City Attorney will prepare the verbiage for the Board to review and approve for a future ballot.

CITY MANAGER'S REPORT

The points discussed and the actions taken were as follows: The Board agreed upon having their regular work session at 5:00 p.m. on Tuesday, February 28, 2006. In this work session they will continue working on the Municipal Code as well as discuss out of Town utility rates.

After a discussion about the building in north Creede that is currently leased by Richard Ormsby for one hundred dollars per year, City Manager Dooley was directed to cancel that lease effective this year so the City can better utilize the space for its own storage needs. It was discussed that the amount Ormsby is paying is quite low compared to current market value.

The Board instructed a letter to be written to the First National Bank to redeem Certificate of Deposit (CD) 650676 in the General Fund so it will be available for use as needed in the General Fund. It will be kept in COLOTRUST savings where it is more accessible when needed.

New street signs for the City were discussed. The Board directed Dooley to create a committee to further compile different options to present to the Town Board. Trustee Barnes volunteered to sit on this committee.

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 Dooley seconded that the meeting be adjourned at 8:44 p.m. The vote was unanimous. Mayor Pro-Tem Barnes declared the motion carried.

Respectfully submitted:

Approved by Board of Trustees:

Pamela J. Wilson, City Clerk/Treasurer

Charles G. Barnes, Mayor Pro-Tem