

SPECIAL MEETING, 5:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. REVIEW AGENDA
- V. OLD BUSINESS
 - a. Consider Parade Permit – Vendor 8/24-8/26
 - b. Consider Private Event Permit – Wedding 9/22
- VI. ADJOURN

REGULAR WORK SESSION (Following Mtg)

- Reports & Presentations – Public Works, LWCRCo, Recreation
 - Birdsey Property Replat Discussion
 - Flume Budget Check-In
- Employee Handbook – Consider Revising 3-Month Probation of Benefits
 - City Manager Succession Plan/Schedule
 - Any Other Business

Posted 8/17/18

OPEN TO THE PUBLIC



PARADE PERMIT APPLICATION

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

Name: Ross & Michelle Albert

Address: 1054 River Rock New Braunfels, TX 78130

Business/Organization (if applicable): New Braunfels Kettle Corn Co.

Phone: [REDACTED] Email: [REDACTED]

Parade Date: _____ Parade Time (please allow for set-up and take-down): MO - -4 daily

Parade Route Begins: 8/24 - Space in K&Belle Parking Lot next to 2nd

Parade Route Ends: 8/26 & 8/26 - E 1st (Farmers Market location) ^{reality office}

Planned Road Closures: N/A - applicant is a vendor wanting to set up each day (Additionally, please attach a map)

Estimated Number of People Expected to Attend this Event: 100

Responsible Parties for Barricade Set-up & Removal:

Name: Ross Albert Phone: 830-499-3114 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 [Signature] 8-15-18
Date

City Clerk [Signature] 8/15/18
Date

SHERIFF'S DEPARTMENT NOTIFICATION: _____ Date

PUBLIC WORKS'S DEPARTMENT NOTIFICATION: _____ Date

FOR ADMINISTRATIVE USE ONLY

Application Received 8/15/18 Fee 25⁰⁰ Date Paid 8/15

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

Board of Trustees Meeting Date 8/21/18

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

Attest: _____ City Clerk

8/24



8/25-8/26





PRIVATE EVENT PERMIT APPLICATION

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

Name: Roger Duncan and Lisa Allen

Address: P.O. Box 3396, Pagosa Springs CO, 81147

Business/Organization (if applicable): _____

Phone: 4 [REDACTED] Email: li [REDACTED]

Description of Event: wedding ceremony

Date and Times of Set-Up: 9am, 9/22/18

Dates and Times of Event: 12:30am, 9/22/18

Dates and Times of Tear-Down: 3:30pm, 9/22/18

Location of Event: Seime Park, across from Sunnyside Chapel
(attach map if applicable)

Estimated Number of People Expected to Attend this Event: 40

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 [Signature]
Date

City Clerk [Signature] 8/15/18
Date

SHERIFF'S DEPARTMENT NOTIFICATION: _____
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 8/3/18 Fee \$50.00 Date Paid _____

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

Board of Trustees Meeting Date August 21, 2018

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

Attest: _____ City Clerk

Parks and Recreation Directors Report

Kathryn F. Short

August 21, 2018

Revenue (July)

Gym Membership	\$690.00
Gym Daily Use	\$459.00
Recreation Fees (including 4 th of July)	\$1,225.00
<u>Total</u>	<u>\$2,081.00</u>

Average gym use per week 109 ppl. (not including kids' camp)

Programs

Finishing Up:

Kids Camps

Gymnastics private lessons

Summer Classes

Summer Activities

Current Programs:

Spin

Pickleball

Programs Starting:

Renaissance Kids

Pep Squad

Volleyball

Dance

We are currently transitioning from Summer to Fall. Kids are returning to school, which means the beginning of all the after school activities, and Rec programs. There are enough kids interested in playing to make a 3/4th grade volleyball team which will compete in the valley league, and games will begin Aug 22nd.

Over the summer I have been noticing some small improvements around the gym that I would like to see done. Al and I are working to make shelving that will create a better space for the rec programs uniforms and equipment, as well as a more efficient ball storage closet in the gym. We are also working to replace some of the gym lights that have gone out over the year.

Ballet will be starting at the beginning of October, and our teacher has requested a new Ballet Barre that I have been working on. The previous barre we used was too bulky, heavy, and hard to move.

The weight room had a new piece of equipment donated that we picked up last week. It is a "zero runner" (a low impact running machine). This is a big asset to us because it is similar to the elliptical which is our most popular machine, and at times has people waiting in line to use the machine.

City of Creede
Board of Trustees and Planning Commission
City Manager - Clyde Dooley
2223 N. Main Street
P.O. Box 457
Creede, CO 81130

July 11, 2018

City of Creede,

My wife and I are submitting this Re-plat / Boundary Application to straighten the property line on the West side of the property, match the North property line with the fence that has been in place for as long as I have been alive (long time) and to match the South property line with the Bassler re-plat. By making these changes the property lines will match up to the Bassler re-plat with the property on the far East of the block and straighten up the property line on the West side.

Our property located 107 E First Street is split by two different sub-divisions. The North side is in the CreedMoor subdivision and the South side is located in the South Creede subdivision.

1. The West property line:

- a. South Creede subdivision: The South Creede sub-division property line runs at a diagonal into the flume. We would like to straighten the property line to run parallel with the flume. We would like to give the flume section of the property to city of Creede and obtain a portion from the city Creede so that the property line is parallel to the flume.
- b. Creedmoor subdivision (north side): We would like obtain the property from the city of Creede so that the property line is consistent with the South side and parallel to the flume.
- c. By doing this the West property line will be straight and parallel with the Flume.

2. The South property line: We would like to obtain property from the city of Creede that matches the Bassler re-plat (far East of the Block). This will also be consistent with the property adjacent to ours on the East.

3. The North Property Line: We would like to obtain the property on the North side of the property to match where the original fence is located and the Bassler re-plat (Far East of the block).

4. In summary: By changing the property lines, the lines will be straight and consistent with re-plat of the Bassler property. An added benefit is that the two remaining properties in the middle of the block can be easily re-plated to match the West and East properties on the block. Once that is done, the property lines will be straight on the North and South side and the whole block will be complete, consistent and re-sellable with no hassles.

Submitted is the warranty deed with the description of the property and a preliminary survey of the property from Bill Kitterman.

The preliminary survey describes the changes that we are asking to take place. The survey PDF was emailed to Clyde. If need be, you zoom in on the PDF to read the wording. I can also email the information to anyone that would like it.

1. We were very surprised when the survey did not match up with the original fence on the north side. The original fence has been there many years and lines up with the late Margie Hosselkus's House and the Trading Post (looking at it with the naked eye). For many years family barbeques have taken place and kids enjoyed playing in this area that was known to be their property.
2. When we purchased the property the seller told us he owned from road to road on the north and south side.
3. We decided to survey the property to insure that there was no issues with the Margie Hosselkus property, only to find out that the North property line did not match the fence line.
4. Our goal is to retire in Creede and return to our childhood home of Creede, Colorado and to make the property a beautiful place for the eyes of the community and tourists.

To my knowledge there is no accurate municipal map that clearly defines the properties in Creede. I also believe that it has been very difficult to correctly record the property sales etc that have occurred in the past. No fault of anyone, that is the way of life in historical mining towns. I would like to ask that we do not have to re-pay for land that the previous owners had believed was theirs and in their minds paid for.

Thank you for considering this application, we look forward to working with you.

Sincerely,

Randy and Geniel Birdsey
1615 Spring Water Ln
Highlands Ranch, CO 80129

(t work)



LOCATION MAP

PRELIMINARY

REPLAT NO. 2 BLOCK 36, CREEDMOOR, AND BLOCK 1, SOUTH CREEDE,

THE WEST 20 FEET OF LOT 7 AND ALL OF LOTS 8 & 9,
BLOCK 1, SOUTH CREEDE,
LESS THE EAST 2 FEET OF THE WEST 20 FEET OF LOT 7,
BLOCK 1, SOUTH CREEDE,
AS DESCRIBED AT RECEPTION NO. 61213, AND
A TRACT OF LAND LOCATED IN BLOCK 36, CREEDMOOR,
ALL LOCATED AT RECEPTION NO. 70902,
IN THE RECORDS OF THE MINERAL COUNTY CLERK AND RECORDER,
AND SELECTED RIGHTS OF WAY WITHIN THE CITY OF CREEDE,
LOCATED IN THE SE 1/4 SECTION 25 AND THE NE 1/4 SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST,
NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY,
COLORADO.

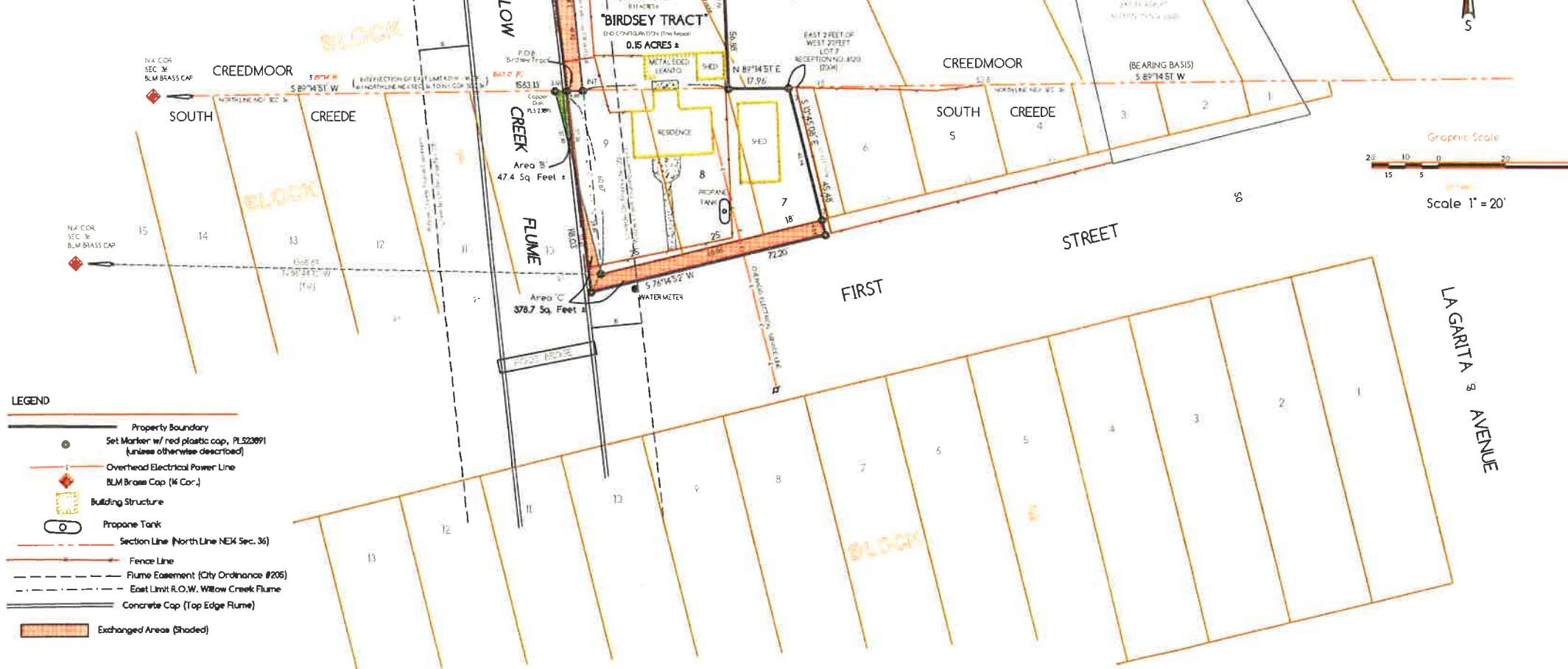
CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT Randy Birdsey and Geniel Birdsey are the owners of that real property known as the West 20 feet of Lot 7, all of Lots 8 and 9, Block 1, South Creede, LESS the East 2 feet of the West 20 feet of Lot 7, Block 1, South Creede, AND a tract of land located in Block 36, Creedmoor described by metes and bounds as follows: Beginning at the SW corner of the tract herein described, the point of intersection of the North line of the NE 1/4 Section 36, T. 42N., R. 1W., N.M.P.M., with the East limit of the right of way for the Willow Creek Flume, whence the NW 1/4 corner of said Section 36, T. 42N., R. 1W., N.M.P.M., bears S89°14'W, 1563.13 feet distant; thence N89°14'E, 14.63 feet along the North line of the NE 1/4 of said Section 36 to the SE corner of the tract herein described; thence N2°20'W, 49.76 feet to the NE corner of the tract herein described, a point on the S. limit of Wall Street; thence S89°14'W, 46.53 feet along the S. limit of Wall Street to the NW corner of the tract herein described, the point of intersection of the S. limit of Wall Street with the East limit of the right of way for said flume; thence S5°37'E, 49.92 feet along the East limit of the right of way for said flume to the place of beginning, all as described in Reception No. 70902.

THAT they have caused this property to be replatted, resubdivided, and designated as the "BIRDSEY TRACT", REPLAT NO. 2, BLOCK 36, CREEDMOOR AND BLOCK 1, SOUTH CREEDE, more particularly described below, and do hereby dedicate and set apart all streets, alleys, and other public ways and places, as shown hereon, for the use of the public forever and do hereby dedicate those portions of said real property which are indicated as easements on the plat as existing and/or implied.

AREA SUMMARY

Original Tract (R#70902)	5561.1 Sq. Ft. ±
'FRACTION A' (City To Birdsey)	+ 624.8 Sq. Ft. ±
'FRACTION B' (Birdsey To City)	- 47.4 Sq. Ft. ±
'FRACTION C' (City To Birdsey)	+ 378.7 Sq. Ft. ±
Final Birdsey Tract	6517.2 Sq. Ft. ± (0.15 Acres ±)



EXTERIOR BOUNDARY "BIRDSEY TRACT", REPLAT NO. 2, BLOCK 36, CREEDMOOR, AND BLOCK 1, SOUTH CREEDE

A tract of land located in the SE 1/4 Section 25 and in the NE 1/4 Section 36, T. 42N., R. 1W., N.M.P.M., Mineral County, Colorado, which parcel contains 0.15 acres, more or less, being more particularly described by metes and bounds as follows: Commencing at intersection of the North Line of the said NE 1/4 Section 36 with the East limit of the right of way for the Willow Creek Flume, whence the NW 1/4 corner of said Section 36 bears S89°14'51"W a distance of 1563.13 feet; thence S89°14'51"W, along the said North Line, a distance of 4.66 feet to the place of beginning; thence N06°33'58"W, along an existing fence line and its northerly projection, a distance of 57.16 feet to the NW corner of the tract herein described; thence N65°14'51"E, along an existing fence and its westerly projection, a distance of 52.56 feet to the NE corner of the tract herein described; thence S02°19'09"E a distance of 56.85 feet; thence N69°14'51"E, along the North line of the NE 1/4 of said Section 36, a distance of 17.96 feet; thence S13°45'08"E a distance of 45.48 feet to the SE corner of the tract herein described; thence S76°14'52"W a distance of 72.20 feet to the SW corner of the tract herein described; thence N06°33'58"W, along an existing fence line and its southerly projection, a distance of 68.87 feet to the place of beginning.

IN WITNESS WHEREOF this instrument is executed this _____ day of _____, 20____, A.D. by:

Signed: _____ Signed: _____
Randy Birdsey Geniel Birdsey

ACKNOWLEDGMENT

State of Colorado) _____
County of Mineral) SS

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Randy Birdsey and Geniel Birdsey.

Notary Public My Commission Expires _____

PLANNING COMMISSION CERTIFICATE

Approved this _____ day of _____, 20____ A.D., Planning Commission for the City of Creede, Mineral County, Colorado.

Signed: _____
Chairman

BOARD OF TRUSTEE'S CERTIFICATE

Approved this _____ day of _____, 20____ A.D., Board of Trustees for the City of Creede, Mineral County, Colorado.

Signed: _____ Attest: _____
Mayor of the City of Creede Town Clerk

SURVEYOR'S STATEMENT

I, Wm. D. Kitterman, a duly registered land surveyor in the State of Colorado, do hereby certify that this plat was prepared by me from the data of a survey made by me or under my direct supervision and is true and accurate to the best of my knowledge and belief.

CLERK AND RECORDER'S CERTIFICATE

State of Colorado) _____
County of Mineral) SS

I hereby certify that this instrument was filed in my office at _____ O'Clock _____ M., this _____ day of _____, 20____ A.D. under Reception No. _____.

Fees Paid _____

Signed: _____
Clerk and Recorder



Rincon Associates, Inc.
P.O. Box 1025, Alamosa, CO 81001 (719) 581-1844

REPLAT NO. 2
BLOCK 36, CREEDMOOR, AND
BLOCK 1, SOUTH CREEDE,

THE WEST 20 FEET OF LOT 7 AND ALL OF LOTS 8 & 9,
BLOCK 1, SOUTH CREEDE,
LESS THE EAST 2 FEET OF THE WEST 20 FEET OF LOT 7,
BLOCK 1, SOUTH CREEDE,
AS DESCRIBED AT RECEPTION NO. 61213, AND
A TRACT OF LAND LOCATED IN BLOCK 36, CREEDMOOR,
ALL DESCRIBED AT RECEPTION NO. 70902,
IN THE RECORDS OF THE MINERAL COUNTY CLERK AND RECORDER,
AND SELECTED RIGHTS OF WAY WITHIN THE CITY OF CREEDE,
LOCATED IN THE SE 1/4 SECTION 25 AND THE NE 1/4 SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST,
NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY,
COLORADO.

Drawn by: WDK July 2018
Job No. 3334 Sheet 1 of 1

EXCHANGED DESCRIPTIONS - The following descriptions to be exchanged concurrently with the execution of the replat shown hereon

'FRACTION A' - CITY OF CREEDE TO BIRDSEY

A tract of land located in the SE 1/4 Section 25, T. 42N., R. 1W., N.M.P.M., Mineral County, Colorado, which tract contains 624.8 Sq. Ft., more or less, being more particularly described by metes and bounds as follows: Beginning at intersection of the South line of the said SE 1/4 Section 25 with the East limit of the right of way for the Willow Creek Flume, whence the SW 1/4 corner of said Section 25 bears S89°14'51"W a distance of 1563.13 feet; thence S89°14'51"W, along the said South line, a distance of 4.66 feet to a point on an existing fence line; thence N06°33'58"W, along said fence line and its northerly projection, a distance of 57.16 feet; thence N65°14'51"E, along an existing fence line and its westerly projection, a distance of 52.56 feet; thence S02°19'09"E a distance of 56.85 feet to a point on the platted South limit of Wall Street; thence S89°14'51"W, along the platted South limit of Wall Street, a distance of 46.53 feet; thence S05°36'08"E, along the East limit of the right of way for the Willow Creek flume, a distance of 49.92 feet; thence S89°14'51"W, along the South line of the SE 1/4 of said Section 25, a distance of 4.66 feet to the place of beginning.

'FRACTION B' - BIRDSEY TO CITY OF CREEDE

A tract of land located in the NE 1/4 Section 36, T. 42N., R. 1W., N.M.P.M., Mineral County, Colorado, which tract contains 47.4 Sq. Ft., more or less, being more particularly described by metes and bounds as follows: Beginning at the NW corner of Lot 9, Block 1, South Creede, whence the NW 1/4 corner of said Section 36 bears S89°14'51"W a distance of 1564.97 feet; thence S13°45'08"E, along the West line of said Lot 9, a distance of 27.83 feet; thence N06°33'58"W, along an existing fence line, a distance of 27.25 feet; thence S89°14'51"W, along the North line of the NE 1/4 of said Section 36, a distance of 3.50 feet to the place of beginning.

'FRACTION C' - CITY OF CREEDE TO BIRDSEY

A tract of land located in the NE 1/4 of Section 36, T. 42N., R. 1W., N.M.P.M., Mineral County, Colorado, which tract contains 378.7 Sq. Ft., more or less, being more particularly described by metes and bounds as follows: Beginning at the SW corner of Lot 9, Block 1, South Creede, whence the NW 1/4 corner of said Section 36 bears N89°14'51"W a distance of 1568.69 feet; thence N75°14'52"E, along the North limit of First Street, a distance of 68.00 feet; thence S13°45'08"E a distance of 4.54 feet; thence S76°14'52"W, along the westerly projection of a fence line from the east, a distance of 72.20 feet; thence N06°33'58"W, along an existing fence line and its southerly projection, a distance of 33.61 feet to the intersection with the West line of said Lot 9; thence S13°45'08"E, along the West line of said Lot 9 to the place of beginning.

*USE THESE
FOR NEGOTIATION
AS WELL.*

NOTE: According to Colorado law, a plat is not valid until it is recorded in the public records. This instrument is subject to the provisions of the Colorado Revised Statutes, Title 38, Article 12, Section 12-12-101, which provides that a plat is not valid until it is recorded in the public records.

MEMO

DATE: August 17, 2018
 SUBJECT: Agenda Items

TO: Mayor and BOT
 FROM: Randi

PZC

FYI, at the 8/14/18 PZC meeting, regarding the proposed Birdsey replat, the commission unanimously recommended that the board “consider negotiating the Boundary Line Agreement on the west side of the property but not the north and south sides.” Please see packet for request and info.

FLUME

As discussed last month, here’s a “check-in” for the flume budget:

ORIGINAL BUDGET IN DOLA CONTRACT		ACTUAL	REMAINDER		NEW BUDGET?		
Budget Line Item(s)	Total Cost	(const less total contractual amt)	ORIG DOLA	ADD'L BUDGET REVISED	ADJUSTED BUDGET	REMAINDER	PCT USED
ENGINEERING	\$ 145,200	\$ 142,923	\$ 2,277	\$ 37,890	\$ 183,090	\$ 40,167	78%
CONSTRUCTION + TRAFFIC CONTROL	\$ 1,293,331	\$ 1,289,877	\$ 3,454	\$ 195,333	\$ 1,488,664	\$ 198,787	87%
PROJECT MANAGMENT	\$ -	\$ 10,215	-	\$ 33,000	\$ 33,000	\$ 22,785	31%
OTHER/MISC	\$ -	\$ 2,516	-	\$ 54,246	\$ 54,246	\$ 51,730	5%
Total	\$1,438,531	\$ 1,445,531	\$5,731	300000 RB + 20469 BC	\$1,759,000	\$ 313,469	82%

Please note, I’ve calculated the construction costs to include the contractual Mays amount, even though we haven’t paid them all of that yet so we can get an accurate picture of where we stand once we’ve paid the amount we are obligated to with that. Of note, the original DOLA budget is the only budget for which we will receive a grant match. All costs and budgeted funds outside of that 1.4M are 100% out of our pocket. This is mainly an FYI so you know where we are, but I think the change order authorization needs clarification. In May: “Change order authority was identified as permissible by joint approval by the Project Manager and the Project Engineer so long as the amount did not exceed \$5,000 and the change order doesn’t cause the project to exceed the project budget.”

The “project budget” has since changed and any additional change orders will probably bump the project over the original budgeted amount. Would you like to extend their authority to \$5k and not to exceed the “adjusted budget” above? Or would you like to retain that authority from this point forward?

Another type of change order that we didn’t address was the more open-ended unit cost change order like the one we just dealt with. Should those automatically go to the board or do you want to set some parameters for Wade & Guin to approve smaller ones (i.e., not expected to exceed \$5k)?

3 MONTH PROBATION

As part of a large handbook revision in 2015, CIRSA advised us to remove our three-month probation period for new employees because it was contradictory to at-will employment status. A remnant remained; however: we do not give FTEs benefits until three months have passed. This happens so rarely that I haven't paid much attention to it, but it came up because CCOERA (our retirement company) noticed that the practice was in violation of our Participation Agreement with them (participation is supposed to be immediate). A new employee cannot take accrued vacation days (which wouldn't be more than three days), cannot enroll in health insurance, and is not eligible for retirement benefits for their first three months.

I checked around and this isn't too common. This policy does save money every few years when a new FTE comes on but I'm not sure its serving us well otherwise. Aside from needing to eliminate the retirement part to be in compliance with CCOERA, I think especially the health insurance gap makes us an unattractive employer because it puts new employees in a lurch trying to cover the interim during what may already be an expensive time. Its not in our best interest for this to be the looked-over thing that makes an otherwise interested person unable to accept a position. Often, too, a new employee has already committed to something for which they need time off during that three months, so negotiations must be made with their supervisor, and since they can only accumulate a few days anyway, perhaps its better left to the employee and supervisor rather than restricted by the handbook.

The costs of switching eligibility from 3 months in to immediate for a FTE are negligible - ~\$240 for the period. Health insurance is steeper - ~\$2250 for the duration. However, we budget for benefits assuming that we will pay 12 months of benefits for each of our FTEs. A little savings is good, but I'm not sure its worth it.

Again, we only bring on new FTEs so often, so this isn't a terribly pressing issue. I do; however, at least need to remove the retirement restriction before we bring someone else on. Let me know which way to go...