

**BOARD OF TRUSTEES
CITY OF CREEDE, COLORADO – A TOWN
September 11, 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 5:37 PM. There being present at the call of the roll the following persons:

PRESENT: Kim Nagy, Debbie Wylesky, Eldon Seime Rex Shepperd,
Dana Brink

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

An Executive Session, to receive legal counsel for specific questions C. R. S. § 24-6-402 (4)(b), will be added to the agenda between New Business items (d) and (e) as well as adding New Business (f) for a Clerk's Memo requesting a change in the November regular meeting date. 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 AUGUST 14, 2007

Trustee Shepperd moved and Trustee Nagy seconded to approve the minutes of August 14, 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 August 2007 check detail report. The vote was unanimous. Mayor Seime declared the motion carried.

REPORTS AND PRESENTATIONS

BUILDING INSPECTOR'S REPORT

Mike Kolisch was available to answer questions about his report. The Trustees reviewed Kolisch's report.

SKATE PARK COMMITTEE QUARTERLY REPORT AND SPECIAL REQUEST

Linda Ussery was available to answer any questions about her report. The skate park committee asked the Trustees for approval to keep the remaining \$1,256.24 from the Virginia Christensen monies of \$4,550.00 granted to them in August 2006. Trustee Shepperd moved and Trustee Wylesky seconded that any leftover money that has been granted to the skate park, the city has to do with including Virginia Christensen and Great Outdoors Colorado (GOCO) is to be retained for maintenance by the skate park committee. The vote was unanimous. Mayor Seime declared the motion carried.

WRITTEN REPORTS

This includes the Recreation and Chamber reports to be read at the Board's leisure.

OLD BUSINESS

VISITOR INFORMATION CENTER LEASE AGREEMENT

The lease agreement for the property of the visitor information center between the City of Creede ("City") and the Creede/Mineral County Chamber of Commerce ("Chamber") has some verbiage changes for the Board of Trustees to approve. As previously discussed and approved, the description of land was amended to include Lot seven in Block thirty, south Creede. Paragraph two was amended from renewing the lease annually for a term of twenty-five years after which the land, structures and all improvements revert back to the Chamber subject to

certain deed restrictions to renewing annually for a term of ninety-nine years, subject to certain deed restrictions. Trustee Shepperd moved and Trustee Nagy seconded approve the lease agreement as presented and authorize Mayor Seime to sign it on the City's behalf. The vote was unanimous. Mayor Seime declared the motion carried.

NEW BUSINESS

CONSIDER LETTER OF INTEREST FOR TOWN TRUSTEE

A letter of interest to be a Town Trustee was received by the Board from Mary J. "Joe" Keller. After consideration and discussion of the letter, the Board called for a secret vote which included the Mayor, to appoint Keller as a Trustee filling one of two vacancies on the Board. The vote was in favor of appointing Keller a Trustee. City Clerk Wilson provided the verbiage to Keller and swore her into office. The seat Keller filled will be up for election at the regular municipal election in April 2008.

APPOINT A MAYOR PRO TEM

Due to the resignation of Martha Owens on August 16, 2007, the Board of Trustees must appoint a new Mayor Pro Tem to fulfill her term. By secret vote of the Board including the Mayor, the vote was in favor of Trustee Shepperd as Mayor Pro Tem.

TOWN OF ANTONITO ECONOMIC DEVELOPMENT COMMITTEE – REQUEST FOR LETTER OF SUPPORT

The Economic Development Committee for the Town of Antonito, Colorado is gathering letters of support to be presented by Colorado State Representative – House District #62 Rafael L. Gallegos to Governor Bill Ritter to acquire the approval to place a correctional facility within an annexed portion of the Town of Antonito. Trustee Brink moved and Trustee Wylesky seconded to authorize Mayor Seime to sign a letter of support on behalf of the City of Creede. The vote was unanimous. Mayor Seime declared the motion carried. City Manager Dooley will draft a letter of support for Mayor Seime to sign.

APPOINTMENTS TO FILL THREE VACANCIES ON THE VIRGINIA CHRISTENSEN ADVISORY COMMITTEE

A list of names was provided by the remaining four Virginia Christensen Advisory Committee members to the Board of Trustees to fill three vacancies on that committee. By secret vote of the Trustees and Mayor Seime, the following names were chosen to fill the three vacancies: Amanda Basler, Wendy Leggitt and Emily McComas. The Virginia Christensen Advisory Committee is scheduled to meet for the fall funding cycle on Tuesday, October 30, 2007. The recommendations from this meeting will be presented to the Board of Trustees at their regular November meeting.

EXECUTIVE SESSION

An executive session was called for the Board of Trustees to receive legal counsel on specific questions relating to the City of Creede's water rights as per C. R. S. § 24-6-402 (4)(b). Trustee Shepperd moved and Trustee Nagy seconded to enter into executive session that will include City Manager Dooley at 6:08 PM. The vote was unanimous. Mayor Seime declared the motion carried.

Trustee Shepperd moved and it was seconded to adjourn from executive session and return to regular session at 6:28 PM. The vote was unanimous. Mayor Seime declared the motion carried.

NEW BUSINESS

RESOLUTION 07-13 – AUTHORIZING A LETTER OF SUPPORT TO BE SENT TO THE GOVERNOR FOR THE ENVIRONMENTAL PROTECTION AGENCY (EPA) LISTING

Trustee Shepperd moved and Trustee Nagy seconded to table the approval of Resolution 07-13 and the Governor's letter until after a special meeting where the Board of Trustees can further discuss the information provided by the City's water attorneys regarding the City's water rights as they pertain to the EPA listing issue. The vote was unanimous. Mayor Seime declared the motion carried. The special meeting will be set for 4:00 PM on Friday, September 28, 2007.

RESCHEDULE DATE FOR NOVEMBER REGULAR MEETING

City Clerk Wilson presented the Board of Trustees with a memo requesting a change of dates for the November regular Board of Trustees meeting. Wilson is scheduled to attend the Colorado Governmental Finance Officers Association (CGFOA)/Colorado Municipal Clerks Association (CMCA) Annual Fall Conference November 13 – 16, 2007. The regular November Board of Trustees meeting is currently scheduled for Tuesday, November 13th. Wilson is also trying to schedule the upcoming fall funding meeting for Virginia Christensen and needs to have the Board of Trustees meeting date for November for posting the Virginia Christensen notices. It was agreed to reschedule the meeting to Thursday, November 8th at 5:30 PM.

(NOTE: Sometime after this meeting Trustee Brink discovered a conflict in her scheduling and asked the other Trustees if they would consider changing the November meeting from the 8th to the 7th. It was agreed.)

CITY MANAGER’S REPORT

The points discussed and the actions taken were as follows: City Manager Dooley informed the Board of Trustees and noted for the record the following: An agreement was made with the Chamber of Commerce allowing them to proceed with the building permit process and construction while a performance bond amounting to 50% of the construction valuation is being procured by them. A copy of this agreement is available at Town Hall and was approved by a telephone tally of the Trustees on Wednesday, August 22, 2007. The tally was unanimous.

City Manager Dooley presented a request on behalf of Kazie Hayes of the Mineral County Fairgrounds Association (MCFA) to share the office space in the City of Creede Board room that is currently being donated by the City to Willow Creek Reclamation Committee (WCRC) for its director’s use. The Trustees agreed that Hayes can use this space providing WCRC director, Carishma Gokhale-Welch puts her approval in writing to share this space.

City Manager Dooley received direction concerning the Fief property in south Creede to further research a copy of a letter he received dated March 25, 1991, from Double D Construction, Richard and Ramona DePriest, to the City of Creede Board of Trustees. If the property is zoned B-2 (Highway mixed use district), Fief needs to come to the Board of Trustees and request a zoning change. Fief sent a letter to the Board requesting them to consider the use of his property to be “grandfathered”. Dooley recommended that Fief go through the Special Exception Use process asking the Planning Commission and the Board of Trustees for the change in use. The Board agreed this action is to be stayed until they make a final decision.

The previous direction request prompted a discussion about the need for housing in the Town and the surrounding areas and possibly the need for a housing authority. The Trustees will discuss this issue further at their November work session. The City Clerk was directed to post and publish a notice calling for persons (from Creede and unincorporated Mineral County) interested in joining a task force to further research the possibilities of a regional housing authority.

The Trustees agreed to have their work session following a 4:00 PM Special Meeting on Friday, September 28, 2007.

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 7:11 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