

SPECIAL MEETING

- I. CALL TO ORDER
- II. ROLL CALL
- III. REVIEW AGENDA
- IV. OLD BUSINESS
 - a. Discuss/Consider ATV Options from January 21, 2014 Work Session
- V. ADJOURN

REGULAR WORK SESSION

- Tomkins Lease
- Employee Handbook Revision
- Fee Waiver – Creede Mining Heritage, Inc.
 - Recreation
 - Development Code Update
 - Headlee Replat Update
- City/County Meeting Update – Tentatively 2/20/14?
 - Retreat Goals-Top Five Discussion
 - Maintenance Shop Update

NO FORMAL ACTIONS CAN BE TAKEN

Posted 11/15/13

OPEN TO THE PUBLIC

ATV Options 2 and 3 (Draft)

(from 1.21.14 Work Session)

*Option #2:

From Eric Heil, June 13th, 2013:

RE: ATVs, I never heard back from CIRSA about liability concerns. I think if City of Creede were to allow ATVs on a designated street it would need to revise Creede Municipal Code section adopting the Model Traffic Code to (1) allow ATVs on the designate route, (2) specifically require ATV owners/users to have motor vehicle insurance, and (3) establish fines for violations. Also, the City would need to erect clear signage about the route and the speed limit. ATV use on designated route could probably be limited to daylight hours only (e.g. 1/2 hour before sunrise, 1/2 hour after sunset) which would mitigate potential safety issues and noise concerns.

Thus, key elements of *Option #2:

1. Revise Creede Municipal Code to allow ATV's on a designated route.
2. Require Insurance.
3. Establish Fines.
4. Clear Signage about Route and Speed limit.
5. Limit to Specific Hours.

** A vote yea will only give staff direction to have legal draft a final proposal for consideration. This is not the final proposal, only an avenue forward.*

*Option #3:

Continuing the current "Special Event Permit" Process, and adding a proclamation, or legal equivalent, to include the following:

Whereas:

1. The City recognizes the ability for tourists and locals alike to pursue recreation opportunities.
2. The City does not support complete ATV/OHV access throughout all Municipal streets and alleys.
3. The City understands the need for compromise on the ATV/OHV issue while keeping with it's stated vision of "balancing planning and freedom in order to maintain, and continue the authentic, historic community that is Creede."
4. The "Special Event Permit" Process already exists. The City of Creede would like to encourage the formation, or continuation, of a group to partner with in spearheading ATV/OHV events throughout the tourist season in order to provide opportunities to complete the "Bachelor Loop" Tour ONLY at designated times.

** A vote yea will only give staff direction to have legal draft a final proposal for consideration. This is not the final proposal, only an avenue forward.*

City of Creede

From: Suzanne Nutt [suzannenutt0120@gmail.com]
Sent: Thursday, February 13, 2014 2:59 PM
To: creedeclerk@centurytel.net
Subject: ATV issue

Mayor and City Council Members,

I am writing this to urge you to vote against allowing ATV traffic on public streets, Loma, or any other streets in Creede, Colorado.

For the following reasons:

1. **Public Safety.** For our visitors and homeowners. Cars and ATV's together bring a higher risk of accidents.
2. **Liability.** The city would be responsible for monitoring traffic and making sure all drivers are licensed.
Should there be an accident the City and Council Members would ALL be held liable.
3. **Noise.** These machines are notorious for their very loud sound.
4. **Quality of Life.** Homeowners face the disruptive sounds of ATV's and increased traffic to their street(s).

Let's make Creede, Colorado a healthy destination for people by encouraging walking and biking.

Thank you for your consideration,

Sue and David Nutt

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4259 / Virus Database: 3697/7090 - Release Date: 02/13/14

TOMKINS LEASE AGREEMENT

This Agreement is entered into this 7th day of January 2014, by and between the City of Creede, a Colorado Town ("Landlord") and Tompkins Hardware ("Tenant"). Together ("Parties").

For good and valuable consideration, and for the mutual promises and covenants contained herein, the parties agree as follows:

1. Landlord hereby leases and lets to Tenant the property directly west of the Creede Historical Museum of approximately thirty-six (3,600) hundred square feet and described in the attached: "EXHIBIT "A".
2. This lease shall be for a term of five (5) years AND renewed automatically unless otherwise terminated by either party in writing.
3. Tenant shall use said premises for use as hardware inventory storage and associated activities.
4. Tenant shall pay Landlord an annual cost of property and casualty insurance. The Landlord will invoice the Tenant on **January 8th** of each year and if payment is not received within 30 calendar days, a penalty of \$10.00 per month will be added.
5. Tenant shall pay Landlord an annual rental fee of \$65.99. This will be calculated annually based on the current assessed value and assessment percentage in Mineral County and the City's mill levy. The 2014 fee is calculated as follows: Assessed value in Mineral County of \$4.92 per square foot times the assessment percentage of twenty-nine percent (29.00%) times the City's mill levy of 12.848. The Landlord will invoice the Tenant on **January 8th** of each year and if payment is not received within 30 calendar days, a penalty of \$10.00 per month will be added.
[40' x 90' = 3600 sf.] [3600 x \$4.92 x 29% x .012848 = \$65.99]
6. Tenant further agrees to maintain the property in a manner, to the extent reasonably possible, free from common hazards to occupants and visitors to the premises.
7. Tenant further agrees and warrants that:
 - a. Tenant shall not assign or sublet said premises or allow any other person or entity to occupy the leased premises without Landlord's prior written consent.
 - b. Tenant shall comply with all building, zoning and health codes and other applicable laws for use of said property.
 - c. Tenant shall be responsible for the cost of any material structural alteration to the premises. Any such alteration or installed fixtures shall become the property of the Landlord upon termination of this Lease, unless otherwise agreed to by the parties in writing. Tenant shall further notify landlord of any structural alterations.
 - d. Tenant shall not conduct or permit to be conducted any activity or waste on the premises which violate any Federal, State or local regulations.
 - e. Tenant shall not conduct or permit to be conducted any operation or activity on the premises which may be deemed to be hazardous or which would require an increase in the casualty insurance premium for the premises.
 - f. Upon breach of this Lease it shall return possession of the leased premises in good condition, wear and tear and fire casualty expected to the landlord.

g. **The Landlord will credit the Tenant fifty (\$50.00) dollars for the expense of clearing the property for any and all city events.**

8. Tenant agrees and stipulates that in the event that it is in breach of the terms or covenants of this Lease, and does not correct said breach within ninety (90) days of receipt of written notice from Landlord, Landlord may enter and take possession of the premises without further notice or legal action.
9. The parties intend that this Lease shall be binding upon execution of the same and shall be binding and inure to the benefit of the parties, their successors, assigns, receivers or trustees.
10. The City shall not be liable for damages, of any kind or character, arising from this Agreement or the subject matter of this Agreement, to any entity or person whomsoever, except in the event of willful, deliberate or bad faith action.
11. Any notice required or permitted under this lease shall be deemed received by the party to whom it is addressed when, (1) hand-delivered to the party or (2), 3 days after the notice is placed in the United States mail. Notice should be addressed as follows:

City of Creede
Attn: City Manager
PO Box 457
Creede, CO 81130

Tompkins Hardware
Attn: Nick Lenzini
PO Box ____
Creede, CO 81130

12. The parties signing below represent and stipulate that they have the legal authority to enter into and execute this Lease and to be bound by the terms contained herein.

CITY OF CREEDE

TOMKINS HARDWARE

Mayor,
Eric Grossman

Date

Owner/Manager,
Nick Lenzini

Date

ATTEST

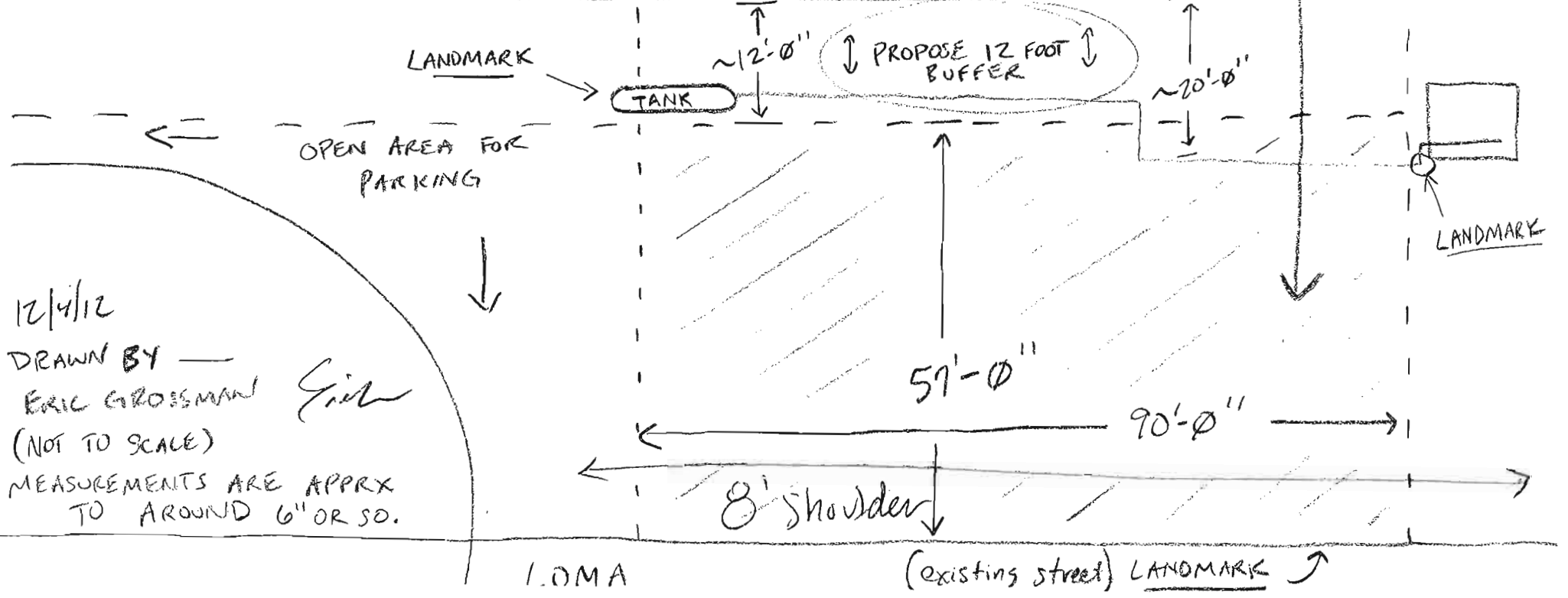
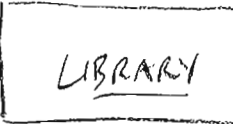
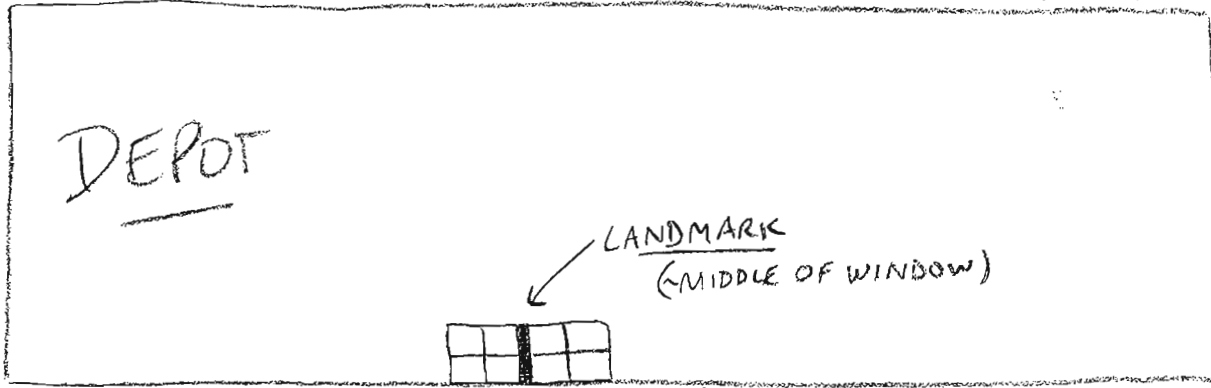
City Clerk,
Randi Snead

Date

8' height limit
Term to be revisited Oct, 1 2013

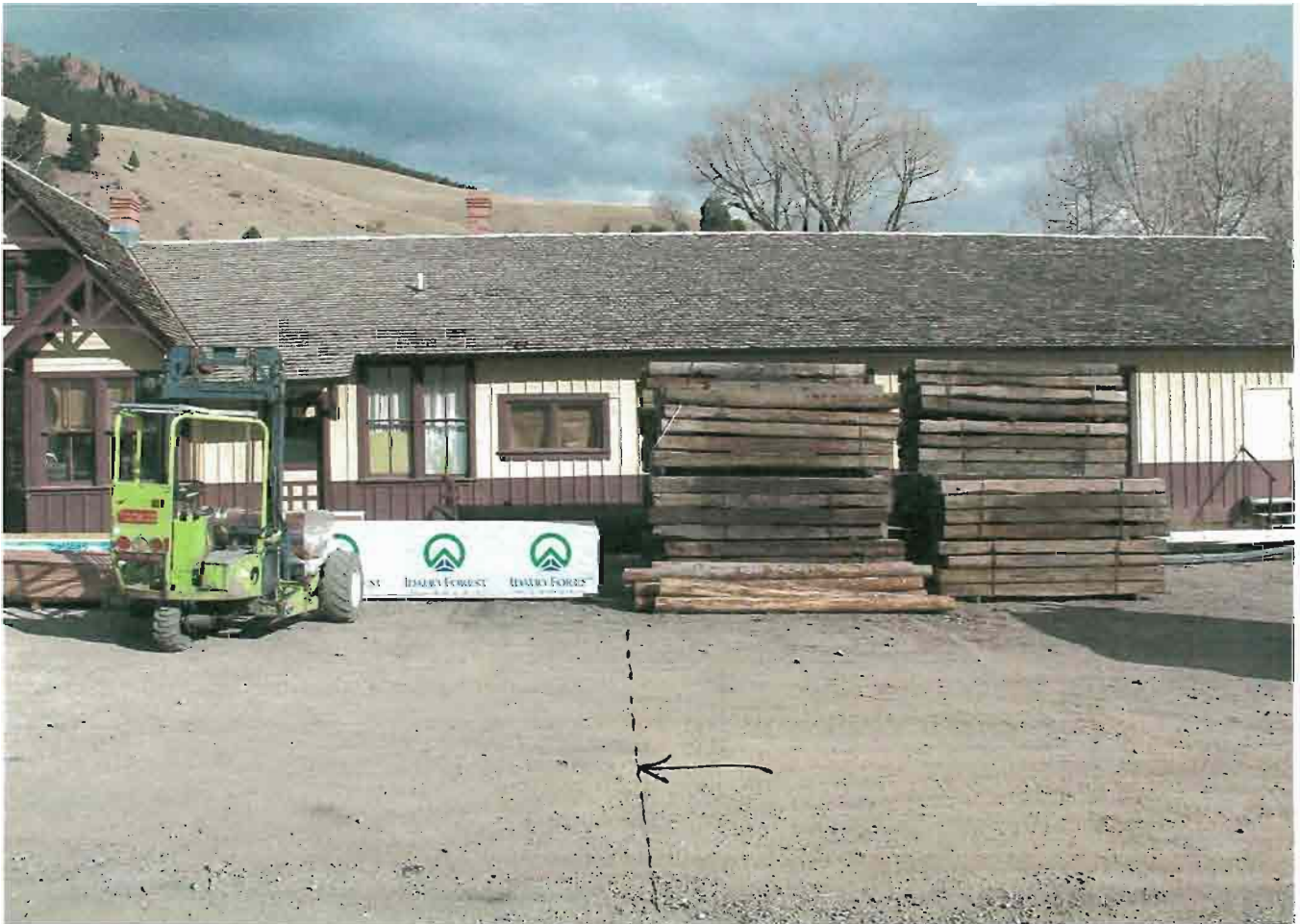
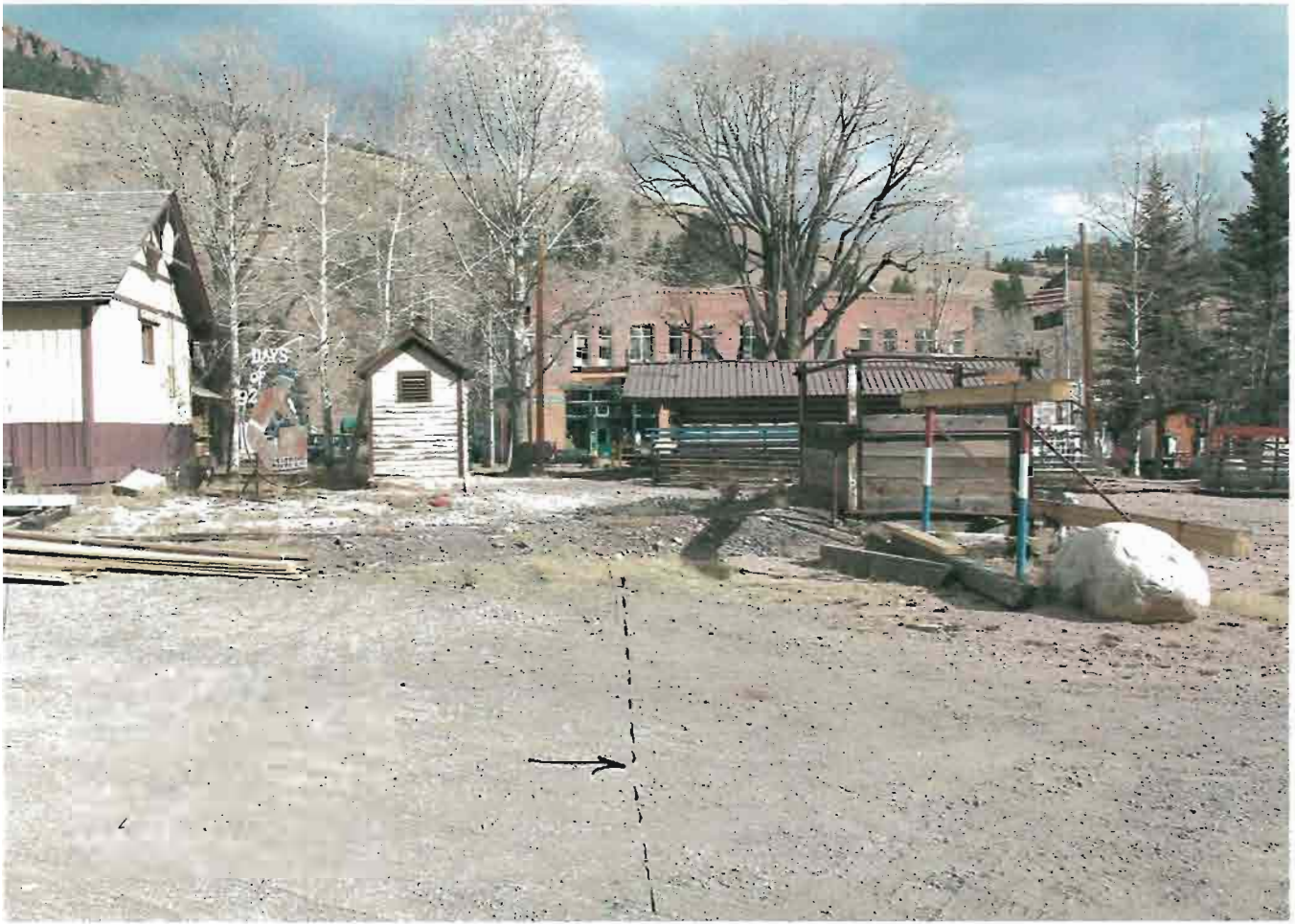
PROPOSED AREA FOR TOMKINS (WITH MEASUREMENTS)

As agreed by Town Board Dec 4 2012 as temporary till Oct 1, 2013



12/4/12
DRAWN BY —
ERIC GROSSMAN *Eric*
(NOT TO SCALE)
MEASUREMENTS ARE APPRX
TO AROUND 6" OR SO.

PAGE 2 of 3



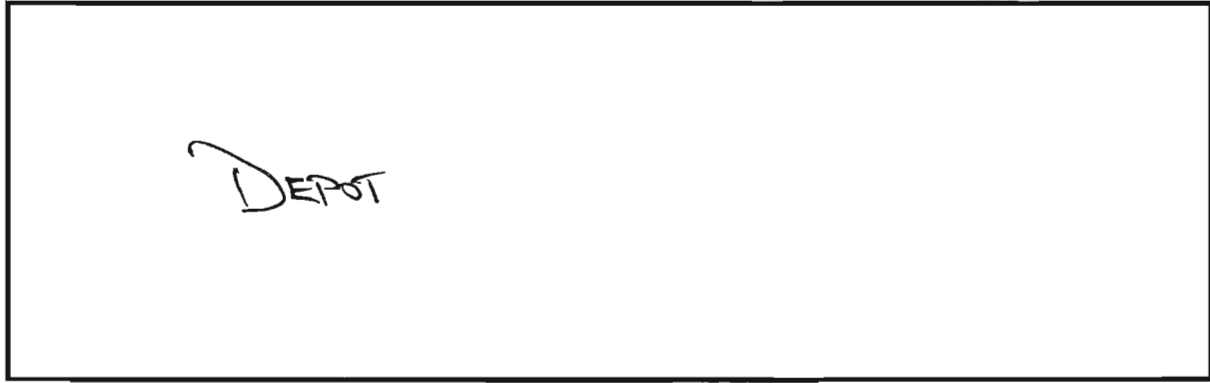
10' buffer 6-8 height

Historical Society Library

N

WALL STREET

Driveway



10' buffer

6' height limit

Proposed Area for Tomkins

LOMA STREET

A very crude map
Not to Scale

CLERK'S MEMO
City of Creede

DATE: January 8, 2014
TO: Mayor Grossman, Trustees Skroch, Wall, Powell, DeLonga, Wyley and Zurn
FROM: Randi Snead, Clerk/Treasurer
SUBJECT: Proposed Changes to the Employee Manual

I've been making notes for about a year of a few things in the employee manual I thought could use updating. In order to do so, I've consulted CIRSA's sample handbook as well as 7-8 great handbooks used by municipalities around the state. I've made notes and suggested changes on the "revision draft" and provided a final draft of all changes. Please review for your consideration. Here's what I've made changes to, in order of substantial importance.

- Our employee manual currently gives any member of the BOT authority to hire, fire, direct, modify duties, promote, demote...A big liability! We've since went to a manager-council form and I have suggested many changes to that end to reduce/eliminate public official involvement related liability. The Ethics, Liability & Best Practices Handbook for Elected Officials goes into this extensively in Chapter 7, Involvement in Personnel Matters if you want to take a closer look at this.
- In many places I felt that the manual was far too specific, for example in the procedures for discharge and the grievance procedure. I've trimmed several sections to make sure that the City isn't beholden to lots of steps or expectations according to the handbook and therefore at risk, and instead, made room for case-by-case consideration and leeway for supervisor and manager authority.
- I've overhauled our entire leave policy and have created one that I think is reasonable. I plagiarized heavily from CRT's Medical policy, then reduced it from 6 weeks paid to 4 weeks, then replaced a few regulations with ones similar to other municipalities.
- All employee policies I reviewed in preparation for this revision had vacation policies that increased earned vacation days on a flat scale for all full time employees regardless of whether they are salary or hourly. I have kept our accumulations the same and just combined full time hourly with full time salary. I think we should also have provisions for vacation carry over...it would encourage folks to use it and save us from a huge payout should someone separate from employment. I've added that as well.
- I think Clyde and I (and all future Admin) should be exempt under FLSA regulations. Please let me know if you have questions about this...it basically means that we are exempt from overtime, and I've added a Compensatory Time policy in lieu of OT.
- Several swaps and additions for discrimination/harassment/ADA policies to get with the times.
- I have completely reorganized the manual for simplicity, combined similar sections and eliminated repetitive sections.
- I have replaced the "you" pronoun with "employee."
- I have made small adjustments to awkward language and unnecessary filler.
- Other explanations can be found in the comments I've made on the revision draft.

I have submitted a draft of this handbook to CIRSA in case they have any concerns.

CITY OF CREEDE
HANDBOOK FOR EMPLOYEES
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HANDBOOK FOR EMPLOYEES

INTRODUCTION

Thank you for being a part of Creede's great team of employees!

It is the purpose of this manual to provide a modern, comprehensive system of personnel administration for the City of Creede, A Colorado Town, whereby economy, efficiency and effectiveness in the service rendered by the Town and consistent treatment of the employees and the taxpayers of the Town may be promoted. To accomplish this end the provisions of this document shall be observed as basic requirements for employment with the City of Creede.

The City of Creede subscribes to the concept that our employees are our most important asset. To every degree possible, they will be treated fairly and with respect. City of Creede employees will be offered the opportunity for growth as desires and qualifications dictate, and as promotional opportunities become available.

GENERAL PROVISIONS

1. This handbook has been prepared to provide information about the City of Creede's personnel policies of general applicability. This handbook is not all-inclusive, but addresses those topics most likely to be of interest to employees in the course of day-to-day operations.
2. The policies in this handbook are not intended to supersede the City of Creede's ordinances, resolutions or other applicable laws; in the case of any conflict between these policies and such ordinances, resolutions or laws, the latter shall prevail.
3. The policies in this handbook are not intended, and shall not be construed, to vest any employee in the City of Creede with any rights arising from any expressed or implied contract of employment. The City of Creede reserves the right to change or rescind these policies and to determine the application of these policies to specific circumstances. The City of Creede further reserves the right to alter or eliminate any benefits provided to its employees. Any alterations, eliminations, or revisions may be made applicable to current as well as future employees.
4. The provisions of this handbook apply to all employees of the City of Creede except as otherwise specified.
5. If an answer to a particular question cannot be found herein, or an employee has not received satisfactory answers to questions concerning information in this handbook, the employee may ask their immediate supervisor.

EMPLOYEE ADMINISTRATION

The City Manager shall be primarily responsible for the administration of employee selection matters in accordance with this Handbook. The responsibilities of the Manager shall include, but not be limited to, the following duties:

1. To approve the hiring, promotion, demotion, or transfer of each employee.
2. To cause to be prepared job descriptions for each position of employment, and to review and amend such descriptions from time to time.
3. To ensure that no person is hired or promoted into any position of employment unless the position and the compensation therefore have been provided for in the City's pay plan and budget.
4. To carry out employee reviews, negotiate employee agreements, arrange employee meetings as necessary, assist with employee training, and all other day-to-day personnel matters.

As set forth in Article 2-3-60 of the Creede Municipal Code, the City Manager shall be appointed by the Creede Board of Trustees. The Creede Board of Trustees shall be responsible for making any determination concerning the employment or disciplinary matters, including discharge, relating to the City Manager. Pursuant to and as may be allowed by the Colorado Open Meetings law, the Creede Board of Trustees may be consulted on other employment issues in the discretion of and as determined necessary by the City Manager.

EMPLOYEE CLASSIFICATIONS

Employment with the City of Creede is "at-will." Any employee may be terminated with or without cause, a statement of reasons, or a hearing. Any employee may resign at any time, for any reason. Nothing in these policies is intended to modify the City of Creede's at-will employment policy.

Full-time administrative employees designated as executive, administrative, or professional, such as the City Manager and the City Clerk, are considered exempt from the overtime pay provisions of the Federal Fair Labor Standards Act (FLSA) and its regulations. Exemptions are listed in Section 13 of the FLSA and further defined in 29 CFR 541. At times, it may be necessary for exempt employees to work overtime, and while the employee is not entitled to overtime pay, the City of Creede provides compensatory leave as defined in "Compensatory Time."

Other employees, including maintenance and public works employees, part-time, and seasonal employees are considered non-exempt from the overtime pay provisions of the Federal Fair Labor Standards Act (FLSA) and its regulations, and are entitled to overtime pay at the rate of 1.5 times their regular hourly pay rate for hours worked in a seven-day period in excess of 40 hours. In lieu of overtime, full time non-exempt employees may wish to receive compensatory time as defined in "Compensatory Time." Non-exempt employees are expected to accurately record all overtime, compensatory time, and any leave time on their timecards.

EMPLOYEE RECORDS

The City Clerk, as the Record Custodian of the City of Creede, will keep and maintain each employee's official personnel records. No information concerning an employee's employment status may be released in response to a reference request except the employee's beginning and ending date of Town employment, any items covered under the Open Records Act and the positions held with the town.

No documents shall be released from a personnel record except as required by the Open Records Act without a written request from the employee designating the documents to be released, the person or entity to which the

release is to be made, and indemnifying and holding harmless the town from any liability, claims and demands resulting from such release.

Employees may request copies of personnel files through the City Clerk. The original of all personnel files will be kept by the City Clerk.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Creede is dedicated to the principles of equal opportunity employment in any term, condition, or privilege of employment. We do not discriminate against applicants or employees on the basis of age, race, gender, color, religion, national origin, disability, sexual orientation, or any other status protected by state or local law.

This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all City employees and the City's customers, clients, vendors, consultants, etc.

The City will make reasonable accommodation for qualified individuals with known disabilities as long as the accommodation will not impose an undue hardship to the City. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, promotion, termination, and access to benefits and training.

ANTI-VIOLENCE POLICY

The City of Creede has a zero tolerance policy with regard to workplace violence. Employees are entitled to a work environment free of harassment, intimidation, stalking, threats of violence, and violence. Any employee, who experiences any of the foregoing, whether from a member of the public, a co-worker, a supervisor, or other person, should report the same promptly to a supervisor or the City Manager. The notification may be in the form chosen by the employee, but the employee is urged to put the notification in writing. No employee shall be subjected to reprisal or retaliation for making such notification. The employee should report immediately any incidents of reprisal, retaliation, or harassment which occur as a result of making such a notification.

Upon notification, an investigation will be undertaken promptly. Disciplinary and/or corrective action will be taken when determined to be warranted pursuant to the investigation. The complaining employee will be notified of the results of the investigation. To the extent possible, complaints and investigations will be handled in a confidential manner. If it is determined that any employee's conduct violates the City of Creede's workplace violence and/or sexual harassment policies, the employee shall be subject to corrective and/or disciplinary action. That action may include verbal or written reprimand, suspension, or discharge as justified based on the findings of the investigation.

PROHIBITED HARRASSMENT POLICY & PROCEDURE

It is the policy of the City of Creede that all employees are entitled to work in an environment free of prohibited harassment as defined below. Prohibited harassment will not be tolerated. A prompt investigation

of all claims and complaints of prohibited harassment will be undertaken and effective and appropriate corrective action will be taken when determined to be warranted based on the investigation.

ADA COMPLIANCE

The Town welcomes applications from people with disabilities and does not discriminate against them. The Town complies with the Americans with Disabilities Act (ADA) of 1990 by:

- using non-discriminatory criteria for evaluating applicants for employment.
- considering employees with disabilities for promotion using the same criteria with reasonable accommodations that are used for the promotion of employees without disabilities.
- taking steps to make its facilities barrier-free and accessible in accordance with law.
- making reasonable accommodations for employees and citizens with disabilities.
- posting notices explaining the provisions of ADA and employee rights under the law.

DEFINITIONS

- a. "Age harassment" means harassment because an individual is 40 years of age or older.
- b. "Disability harassment" means harassment because of an individual's physical or mental impairment that substantially limits one or more of the individual's major life activities, because the individual has a record of such impairment, or because the individual is regarded as having such and impairment. "Disability" does not include current illegal use of drugs, or impairment on the job by alcohol.
- c. "Gender harassment" means harassment because of an individual's male or female gender.
- d. "Marital or family status harassment" means harassment because an individual is a parent or non-parent, married, single, divorced, separated or widowed.
- e. "National origin harassment" means harassment because of an individual's place or origin; or because an individual has the physical, cultural or linguistic characteristics (such as language, accent or manner of speaking) of a national origin group. Examples of "national origin groups" include but are not limited to Hispanic (i.e., persons of Mexican, Puerto Rican, Cuban, Central or South America or other Spanish culture or origin), Pacific Islander, Asian, Eastern, Middle Eastern and Southern European origin.
- f. "Prohibited harassment" means unwelcome conduct, including physical, verbal or written conduct that constitutes race/color harassment, national origin harassment, gender harassment, sexual harassment, sexual orientation harassment, religious harassment, disability harassment, age harassment, marital/family status harassment or that constitutes harassment based on other status under the equal employment opportunity laws, including but not limited to protection against retaliation for activities such as opposing a practice made unlawful by an equal employment opportunity law or participation in an investigation or other proceeding under the equal employment opportunity laws or association with a protected individual.
- g. Examples of "prohibited harassment" include but are not limited to: slurs, jokes, degrading comments, degrading pictures, degrading symbols or other written, verbal or physical conduct based on race/color, national origin, gender, sex, religion, disability, age or marital/family status which has the purpose or effect of unreasonably interfering with an individual's work performance, creates an intimidating, hostile or offensive work environment, results in a tangible employment action or is sufficiently severe or pervasive to alter the conditions of employment.
- h. In addition, examples of prohibited conduct which constitutes "sexual harassment" include but are not limited to sexual advances, requests for sexual favors, or other physical, verbal, or written

- conduct of a sexual nature, when submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting that individual or submission to or rejection of the conduct by an individual otherwise results in a tangible employment action.
- i. "Race/color harassment" means harassment because of an individual's race or skin color. Examples of "race" include, but are not limited to, African American/Black, Caucasian/White, Asian/Pacific Islander, Hispanic, Latino and Native American.
 - j. "Religious harassment" means harassment because of an individual's traditional religious views or moral or ethical beliefs as to what is right and wrong, which beliefs are sincerely held with the strength of traditional religious views.
 - k. "Sexual orientation harassment" means harassment because of an individual's sexual orientation.

PROCEDURES

1. Any employee who believes that he or she is being subjected to prohibited harassment should inform the person responsible for the conduct that such conduct is unwelcome and plainly request that it stop immediately.
2. The employee shall inform their immediate supervisor or department head of his/her choice. The notification may be in the form chosen by the employee; the employee is encouraged to put the notification in writing.
3. No employee shall be subjected to reprisal or retaliation for making a notification or prohibited harassment. The employee should report immediately any incidents of reprisal, retaliation or harassment, which occurs as a result of making such a notification.
4. Upon notification under Paragraph 2 or 3 above, an investigation will be undertaken promptly. The appropriate supervisor when determined to be warranted pursuant to the investigation will take disciplinary and/or corrective action. The complaining employee will be notified of the results of the investigation.
5. To the extent possible, complaints and investigations will be handled in a confidential manner.
6. If it is determined that any employee's conduct constitutes prohibited harassment, the employee shall be subject to corrective and/or disciplinary action by the appropriate supervisor. That action may include verbal or written reprimand, suspension or discharge as determined appropriate based on the findings of the investigation.
7. No employee shall make a false report of prohibited harassment.

EMPLOYEE CONDUCT & EXPECTATIONS

The City of Creede expects all of its employees to act in the best interest of the City of Creede and of the members of the public served by the City of Creede. It is the responsibility of all employees to observe all rules, policies, operating procedures, and directives of the City of Creede.

All employees are expected to behave with courtesy and respect toward other employees and members of the public. Specific rules of conduct adopted by the City of Creede or described in these policies are not meant to be all-inclusive, but rather to address some common and serious potential problems.

EMPLOYEE PROBATIONARY PERIOD

All newly hired employee of the City of Creede will be on probation for three months. This will be a time for the employee to evaluate his or her suitability to the City and the position, while at the same time providing the City a time to evaluate the employee's suitability to the City and the position assigned.

All newly hired employees and employees transferred, promoted, demoted, or re-employed in a different job classification shall be on probation for three months. This will be a time for both the employee and his or her supervisor to evaluate the employee's suitability for the position. At the end of three months, a review with an immediate supervisor will take place and evaluations and concerns can be shared. If employee performance has met satisfactory standards, he or she will be eligible to access accrued vacation and personal days, as well as enrollment in the City's group benefit programs. If employee performance has not met satisfactory standards, the supervisor has the option of recommending an extension of the probationary period for up to an additional three months for a maximum of six months. The City can terminate employment at any time during the probationary period or any extension of it, without cause. An employee who fails to satisfactorily complete the probation period is not eligible to be paid for any accrued benefits upon termination of employment.

Of the types of leave available, only sick, military, court, injury and emergency leave may be exercised during the probationary period unless arrangements are made with the City Manager prior to employment. Up to forty (40) hours of unpaid leave may be granted by the City Manager during the first six months of employment. However, once the six months of probation is completed, a full-time employee must adhere to the yearly limits of leave. Any abuse of time off may be construed as being unable or unwilling to satisfactorily perform the duties of the job.

EMPLOYEE ORIENTATION & TRAINING

The City Manager or appropriate department head shall provide orientation to all new employees. Such orientation shall include information concerning the City of Creede's pay plan, personnel policies, employee benefits, safety and training programs, and other City of Creede policies or programs having a bearing on employment.

The City of Creede provides various employee training opportunities to promote efficiency, economy, safety, and professional development amongst employees. Participation is strongly encouraged.

TRAVEL AND COST REIMBURSEMENT

Employees of the City of Creede will occasionally have to travel for trainings, conferences, or other trips as needed. Employees must adhere to the City of Creede's Travel Policy and complete a Travel Expense Report while traveling. Please contact the City Manager or the City Clerk for more information.

EMPLOYEE JOB EVALUATION

All year-around, full-time and part-time employees will be evaluated on a yearly basis, with quarterly updates as necessary. An interview will be scheduled with the employee's immediate supervisor to review these evaluations, and the employee's input will be a part of the evaluation process. The City Manager and/or the City Clerk may be evaluated in a similar manner by the Board of Trustees.

WORK WEEK

For Administrative staff, the workweek is Monday through Friday from 8:00 a.m. to 5:00 p.m. with an unpaid one hour lunch period from 12:00 noon to 1:00 p.m. for a total of 8 hours actual work time per day. For year-around, full-time Maintenance staff, the workweek is Monday through Friday from 7:00 a.m. and to 4:00 p.m. with an unpaid one hour lunch period from 12:00 noon to 1:00 p.m. for a total of 8 hours actual work time each day. Any time over 40 hours per week is considered overtime. It may, from time to time, be necessary to work hours outside these guidelines. Employees are entitled to a fifteen-minute break for each four hours worked per shift. Any changes from these stated times must be approved in advance by the City Manager. Seasonal employees' hours of work will be determined at the time of employment by the City Manager.

EMPLOYMENT RELATED ACCIDENTS, INJURIES AND ILLNESSES

Any employment-related accident involving any injury or property damage whatsoever must be reported to the immediate supervisor by each employee involved in or witnessing the accident. Such reports shall be made immediately. Failure to report any accident involving injury or property damage may result in disciplinary action up to and including discharge.

Employees are covered for employment-related injury or illness by the Colorado Workers' Compensation Act. Under the Act, an employee may receive certain benefits pertaining to an employment-related injury or illness. Under the Act, a work-related injury or illness must be reported within four (4) working days.

To the extent practicable, the employee will be reinstated to the employee's position upon return from leave for an employment-related injury or illness. Where the operations of the City of Creede permit, modified duty may be also available to facilitate a return to work by an employee. The City of Creede's designated medical provider for employment-related injury or illness is the Creede Family Practice, 802 Rio Grande Lane, Creede, CO 81130.

DRUGS AND ALCOHOL

The City of Creede is a drug-free workplace as required by the Drug-Free Workplace Act of 1988, 41 U.S.C. 702. It is both the City of Creede's and each employee's responsibility to maintain such an environment. The manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. An employee's violation of this prohibition, or any other drug abuse violation, may result in disciplinary action up to and including immediate discharge. Alcohol, its influence or affect will not be permitted during on-duty hours, which include overtime and response to off duty calls. Violation of this requirement may be cause for immediate discharge.

USE OF CITY OF CREEDE PROPERTY AND VEHICLES

City of Creede property is to be used only for official City of Creede business, in an appropriate and safe manner, and in accordance with all applicable rules, operating procedures, and directives. No employee shall remove City of Creede property or the property of any other employee from the City of Creede premises or the City of Creede work sites without proper authorization. Any employee who steals City of Creede property or the property of any other employee, or who abuses, misuses, damages, or destroys City of Creede property, shall be subject to discipline, up to and including discharge.

Only authorized, qualified, and licensed City of Creede employees may operate City of Creede vehicles. All vehicles shall be operated in accordance with all applicable traffic laws, and vehicle operators shall be responsible for the condition and proper use of their vehicles. Employees receiving traffic tickets or other citations involving the operation of City motor vehicles are responsible for the paying of all fines and other punishments resulting from such traffic tickets or citations. All employees operating City vehicles are required to use seat belts. No cell phones or texting on a mobile device are to be used when operating City Vehicles unless an emergency exists. No personal errands are permitted while using a City Vehicle. Unauthorized or improper use of City of Creede vehicles may result in discipline, up to and including discharge. The City of Creede reserves the right to review an employee's driving record at any time.

DRESS CODE

The City of Creede represents the citizens of Creede and their visitors. Employees are required to dress in appropriate attire at all times.

TELEPHONE

The telephones at the City of Creede are for City use, and employees are requested to keep personal calls to a minimum. Personal toll calls are forbidden.

GOOD HOUSEKEEPING

All employees are requested to practice good housekeeping as a general courtesy to others, and to maintain a professional appearance of the properties of the City of Creede at all times.

OUTSIDE EMPLOYMENT

The City of Creede employees may desire outside employment. Such employment will be permitted so long as said outside employment does not in any way interfere with the employee's ability to perform his or her assigned position at the City of Creede. Such outside employment shall in no way violate conflict of interest or confidentiality with the City of Creede.

SUGGESTIONS AND COMPLAINTS

The City of Creede employees are encouraged to offer any constructive suggestions regarding the operations and policies of the City of Creede. These suggestions can be brought up in employee meetings, discussed with an immediate supervisor, or sent to the City Manager in writing.

Should a problem arise that is job related, an employee discuss the problem frankly with an immediate supervisor. After every effort has been made to discuss and solve a problem with a supervisor, an employee may choose to follow the procedure outlined in "Grievance Procedures."

SEPARATION FROM EMPLOYMENT

Resignation is a voluntary act of separation from employment initiated by the employee. The employee shall give the employee's supervisor at least ten (10) working days' prior notice of resignation. An employee in an administrative or supervisory position shall give at least thirty (30) days notice of resignation. An employee who is retiring from the City of Creede should give ninety (90) days notice of such retirement if at all possible. Upon resigning or retiring, non-probationary employees shall be paid the appropriate value for vacation leave, sick leave, holiday pay, compensatory time and overtime. Total benefits to be paid upon termination will be paid out incrementally in a manner that does not exceed the amount equal to a pay period unless prior arrangements are made. An employee, who, without prior authorization, fails to report for work for three consecutive working days, shall be considered to have resigned voluntarily as of the end of the third consecutive day. The City Manager shall provide written notice to the employee that the resignation has been accepted and that the position has been declared vacant. Pay will not be granted for the three days of absence unless covered by earned vacation time or one-day personal time.

When warranted by changes in the City of Creede's operations or by fiscal circumstances, the City of Creede's pay plan may be amended to impose a reduction in force in one or more departments. The City Manager shall then notify the affected employee or employees at least thirty (30) days in advance of such reductions.

GRIEVANCE PROCEDURE

All full time, non-probationary employees have the option to institute a grievance procedure if he/she believes there is a violation with regard to a proposed disciplinary suspension, disciplinary demotion, or termination. The grievance procedure is intended to provide a formal process for the resolution of grievances. It is not, however, intended to be a substitute for healthy and appropriate communication between employees, the public, or supervisors. Before the grievance procedure is started, employees should attempt to resolve disputes, complaints, and concerns with their immediate supervisor by discussing such matters informally.

The grievance procedures shall consist of the following steps:

1. An employee shall first present the grievance to the supervisor, who shall make careful inquiry into the facts and circumstances of the complaint. The supervisor shall seek to resolve the problem promptly and thoroughly and communicate conclusions and result, in writing, to the aggrieved employee within five (5) days.
2. If supervisory resolution is unsuccessful, the employee may, within five (5) working days of the supervisor's response, request in writing that a meeting be held between the employee, the supervisor in question, and the City Manager. Such request shall also specify the nature of the grievance and the rules at issue. The employee, City Manager and Trustee shall meet as soon as is practical thereafter and the Trustee shall respond to the grievance in writing within five working days of that meeting, circumstances permitting.
3. If the grievance is not resolved at Step 2, the employee may, within five working days after receiving the Step 2 response, request in writing that a Employee Grievance Committee be formed. The Committee will consist of the City Manager, one member of the Board of Trustees, and one full-time

employee. The Committee will meet with the employee as soon as practical, and will respond to the grievance in writing within 10 working days. The decision of the Committee shall be final.

Copies of all written complaints and responses shall be placed in the personnel file of the complainant and the person against whom the complaint was filed. Any grievance not pursued to the next step within the time specified will be considered resolved. The time limits for taking any action under this policy may be extended by agreement. An employee filing a grievance shall have the sole right to determine whether to pursue a grievance from one step to the next.

DISCIPLINARY ACTION & DISCHARGE

Occasionally, management determines that disciplinary measures are necessary. Disciplinary actions can range from a formal discussion with an employee about a matter to immediate termination. Action taken by management in one individual case does not establish a precedent in other circumstances.

If an employee is the subject of disciplinary action other than termination, that employee may appeal the decision to his or her immediate supervisor and/or Department Head. If further appeal is desired, then employees should file the appeal in writing to the City Manager. The employee's file and the situation will be reviewed. Depending on the situation, either the disciplinary action will stand or other action will be taken. Termination decisions may not be appealed.

Please see the EOE/Prohibited Harassment Policy and the Grievance Procedure when applicable.

EMPLOYEE COMPENSATION AND BENEFITS

PAY SCHEDULE

Unless otherwise authorized by the Creede Board of Trustees, pay periods for all City of Creede employees are the 1st day through the 15th day of each month, and the 16th day through the last day of each month. Employees will be paid on the 15th day and the last day of each month. It is the responsibility of each supervisor to have all time reports on the desk of the City Clerk no later than 10:00 a.m. on the 14th and day prior to the last day of the month. If either of these days falls on a weekend or holiday, paychecks will be issued the last workday before the scheduled payday. Direct deposits are available to all employees on a voluntary basis and will allow for an employee's earnings to be deposited directly into the bank of their choice.

SALARY REVIEW

Compensation of employees of the City is set on an annual basis by the Creede Board of Trustees of the City of Creede, and made a part of the annual budget. The Creede Board of Trustees adopts the City budget each December for the following year. Changes in employee salaries are recommended by the City Manager to the Board of Trustees during the budget process. Any adjustment made in employee's salary either by way of increase, decrease, or no change, are at the complete discretion of the Creede Board of Trustees.

GROUP BENEFITS

Upon completion of a three-month probationary period, full-time employees are currently eligible to participate in a variety of group benefit programs including medical insurance, dental insurance, vision insurance, life insurance, and 401(a) plan retirement contribution matches.

Employees are encouraged to become familiar with and take advantage of these benefits. For further information describing available plans, please see the City Clerk.

Employee benefits are subject to changes in providers, value and coverage subject to the approval of the Board of Trustees.

VACATION

The City of Creede grants vacation periods with pay in accordance with two convictions: 1) that our employees will be benefited mentally and physically by a period of rest and relaxation during the year, and 2) that our employees are entitled to vacation based upon length of continuous service. Employees receive the following vacation accrual:

EMPLOYEE	YEARS OF SERVICE	ACCRUAL
Full Time Employees	1-4	10 days/year
Full Time Employees	5-9	15 days/year
Full Time Employees	10+	20 days/year
Part Time Employees	1	1/4 day per 173 hours
Part Time Employees	2+	1/2 day per 173 hours

Employees may carry over up to 10 vacation days at the end of the year. Accrued vacation days in excess of 10 days will be paid out at the end of the year at the regular rate of pay. An employee who terminates employment with accrued but unused vacation shall be paid at the employee's regular rate for such accrued vacation time only when 10 working days notice of termination has been submitted. Temporary and on-call employees do not accrue vacation time. Vacations should be scheduled in a way that minimizes the effect the absence will have. Employees are required to notify the City Manager of vacation as soon as possible, and at least 10 working days in advance to the vacation.

Vacation pay will be included with the regular paycheck for the period of time vacation is taken. Vacation time may not be taken in less than quarter-day increments nor exceed the amount of vacation time earned at the beginning of the vacation time to be used.

HOLIDAYS

The City of Creede provides paid holidays as set forth by the Creede Board of Trustees, which may be amended from time to time according to the day on which a given holiday falls. If the named holiday falls on a workday then the scheduled days are:

- The first day of January (New Years Day)
- The third Monday of January (Martin Luther King Day)
- The third Monday of February (President's Day)
- Good Friday beginning at Noon
- The last Monday of May (Memorial Day)

The fourth day of July (Independence Day)
The first Monday of September (Labor Day)
The second Monday of October (Columbus Day)
The eleventh day of November (Veterans Day)
The fourth Thursday of November (Thanksgiving Day)
Friday after Thanksgiving Day
Christmas Eve beginning at Noon
The twenty-fifth day of December (Christmas Day)
New Years Eve from Noon

When the holiday listed above falls on a Saturday, the proceeding Friday shall be considered a holiday, and when the holiday listed above falls on a Sunday, the following Monday shall be considered a holiday. A holiday falling within an employee's pre-approved scheduled vacation will not be charged as vacation time.

Full time employees are eligible for these paid holidays immediately upon hire. Hourly part-time, temporary or on-call employees are not eligible for holiday pay. Holiday pay will be included with the regular paycheck for the period of time in which the holiday falls. No advance payment of holiday pay will be granted.

COMPENSATORY TIME

Compensatory time is available to all full-time employees who work in excess of 40 hours per week. Compensatory hours must be accounted for either on timecards or on a City of Creede Compensation Time Worksheet available from the City Clerk. Compensatory time may only be taken after approval by the City Manager, and may only be used after it is earned.

PERSONAL DAYS

Each full-time employee may take a total of seven personal days each calendar year with pay. Personal days may not be used in conjunction with any vacation time or holiday. Any day(s) taken before or after a holiday must use earned and available vacation time. Employees are expected to use personal days for reasons other than illness or vacation, i.e., appointments or errands. Personal days cannot be accumulated from year to year and are not eligible for pay out at the end of each year or upon separation or termination. Personal days may not be taken in less than quarter-day increments and may not exceed two consecutive days. Seasonal and part-time employees do not qualify for personal days.

SICK LEAVE

Short term sick leave is permitted to promote the health of our employees. If an employee is ill, he or she should not come to work and spread the illness to other employees. Employees are expected to notify an immediate supervisor of illness at the earliest possible time. Abuse of this policy is grounds for disciplinary action.

If an employee is ill for four or more consecutive workdays, a doctor's release (or notification from the Mineral County Health Clinic) must be obtained stating that the employee is fit to return to work and submitted to the City Manager immediately upon return. For illnesses lasting five or more consecutive workdays, please see "Extended Medical Leave."

EXTENDED MEDICAL LEAVE

An extended medical leave of absence is available to eligible employees for up to 4 weeks paid leave and up to 2 additional unpaid weeks for a total of up to 6 weeks in a calendar year under particular circumstances that are critical to the employees or their family members.

Leave may be taken:

- On the birth of an employee's child;
- On the placement of a child for adoption or foster care with an employee; or
- When an employee is unable to perform at least one of the essential functions of their position because of the employee's own serious health condition.

To be eligible for leave under this policy, an employee must be a salaried, year round employee, and employed at the City of Creede for at least 12 months prior to a request for paid leave.

The City will require medical certification to support a claim for leave for an employee's own serious health condition. The certification for an employee's own personal medical leave must include a statement that the employee is unable to perform at least one of the functions of his/her position. Employees who are ill will be required to provide a Doctor's report on their health status every two weeks.

When the need for leave is foreseeable, such as the birth of a child, the employee must provide 30 days notice to the City Manager. A spoken or written leave agreement may be reached between the employee and the City Manager addressing minimization of impact of the employee's leave, plans for temporary fulfillment of duties, an anticipated return-to-work timeline, accommodations for intermittent or reduced-leave or working from home, and any other concerns either party may have. In the event that leave is required but not foreseeable, verbal and written notice should be given to the City Manager, as soon as practicable.

Employees can use available Vacation and Personal leave to extend paid leave. All Vacation and Personal days must be used to extend paid leave before any unpaid leave can be taken, and the combination of paid leave, unpaid leave, and vacation and personal leave may not exceed 6 weeks in one year.

Group health care coverage will continue for employees on leave as if they were still working. Employees who are granted an approved leave of absence under this policy must make arrangements to pay their share of premiums, if there are any, during the absence.

The provisions of this policy will govern all paid family and medical leave unless modified in the employee's contract or negotiated by the employee and City Manager before or at the time of required leave.

OTHER LEAVE

MILITARY LEAVE

Employees on a military leave of absence are re-instated and paid in accordance with the law. Please refer to the Department of Labor (www.dol.gov) for information on current laws governing employee rights.

VOTING

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise voting rights in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for an employee to arrive late or leave work early to vote in any election, arrangements should be made with a supervisor prior to Election Day.

BEREAVEMENT

In the event of a death of an immediate family (spouse, child, parent, grandparent, brother, sister, or immediate family of spouse) year-around full-time employees are eligible for up to three days absence with pay. Bereavement leave shall not be granted for settlement of estates or for any other matter except required time to travel to, attend, and return from the funeral/memorial service. Leave taken in excess of that required to attend the funeral/memorial service or three (3) days, whichever is less, shall be charged as vacation leave, personal day, or leave without pay, as appropriate. Employees are asked to inform his or her immediate supervisor of bereavement leave as soon as possible.

ALL OTHER LEAVE

If an employee requires leave and circumstances do not fall within the guidelines established in this handbook, he or she can meet with the City Manager to make alternative arrangements.

REPORTING AN ABSENCE

If it is necessary to be absent due to illness, emergency, or other absence, an employee must notify his or her immediate supervisor or the City Manager as soon as practicable. Unless an emergency exists, failure to contact the City of Creede when absent may result in disciplinary action up to and including termination.

**ACKNOWLEDGEMENT OF RECEIPT
OF THE CITY OF CREEDE'S
EMPLOYEE HANDBOOK**

This acknowledges that I have received a copy of the Town of Creede's Employee Handbook, dated _____. I understand that this Handbook is only a guide to the ordinances, resolutions, and other laws applicable to my employment, and that this Handbook is neither an express nor implied contract of employment and that the Town remains free to make such changes in its personnel policies, including but not limited to any matters addressed in this Handbook, without prior notice and in its sole discretion.

I understand that it is my responsibility to read and become familiar with this Handbook's contents. I agree to abide by the above, as a condition of my employment, as well as all written policies, rules, and regulations that are in effect or that may become effective during my employment.

Printed Name: _____

Signature: _____

Date: _____

Oct 2013 Retreat Goals...

(In no particular order, and an ongoing discussion... A Working Draft.)

- Library.
- Continue web presence.
- Jobs.
- In house email.
- Welcome to City of Creede kiosk / better entry into town boundaries signage.
- Consistent business support.
- Increased 149 presence.
- Develop modern code of ethics, and adopt Bob's Rules instead of Robert's Rules.
- Flume.
- Restructure Parks and Rec.
- Develop mining events arena into a tourist attraction / self guided tour when not in use.
- Upgrade restrooms.
- Develop "triangle."
- Plan / develop rest of RR ROW south.
- Continue storm drainage improvements.
- Emergency valves for canyon water in case of disaster / aka contingency plans for such.
- Backup generator power.
- Downtown develop district following Downtown Colorado Inc membership.
- Sidewalks.
- Modern job descriptions (re-write.)
- Chain of command for day to day operations and consistent structure.
- Better engaging of public via thought bubbles, etc.
- Mayor / City Manager monthly coffee stops.
- New town hall on soon to be old school property.
- Begin a Beatify Business Award.
- USFS Land swap / acquisition.
- Law enforcement solutions.
- Update Model Traffic Code.
- Office projector, screen, digital timer, etc.
- Continued economic development.
- Sub committee tasks.
- Re-visit ATV's.
- Possible Long term VC outlay structure, 1/3 to each: parks and rec / capital improvements / the local non-profit public.
- Re-write VC criteria / outlay structure / requirements / better accountability / committee suggestions for recommended distribution, and making only one cycle per year.
- Maintaining our history by preservation of old structures and pursuing such, etc.