

**Regular Town Board Meeting
Town of Del Norte, Colorado
July 13, 2016**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on July 13, 2016 in the Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 7:00 p.m. There being present at the **CALL OF THE ROLL** the following persons:

ROLL CALL:

Town Board present: Trustee Bob Muncy, Trustee Mark Ulrich, Mayor Pro Tem Annette Archuleta, Mayor Chris Trujillo, Trustee Gary Sabrowski and Trustee Tony Dinger and Trustee Sam Scavo. Mayor declared a quorum present.

MINUTES:

June 8, 2016 minutes were not able and will be presented at the August 10, 2016 Regular Town Board meeting.

CITIZENS COMMENTS:

CONSENT AGENDA

Chief Fresquez mentioned criminal cases have slowed and is currently working on elderly fraud case. Neighborhood Watch meeting that is set for July 19th at 6:30 p.m. at the Annex building. Kevin Larimore stated he has been doing routine maintenance around town. Mike Hager from RG Engineering mentioned to the Board that if they see orange cones all over town it is that surveying is underway for the collection system. They have sectioned off the town in four quadrants and the surveying should take at least two-three months to complete. The water tank roof is underway and will be going out to bid next month. Motion was made by Mayor Chris Trujillo to approve the consent agenda seconded by Pro-tem Annette Archuleta to approve the consent agenda. Roll call all ayes, Mayor declared motion carried.

UNFINISHED BUSINESS

Ryan Johnson-Marijuana Cultivation Grow Facility-Ryan Johnson presented to board his timeline if the Town approves going forward on this facility. He also gave them the scenarios of proposed local tax versus a surcharge. Mr. Johnson also referred the facility to the tech giant Apple, and would they have turned them away if they wanted to build here. There were several citizens who once again voiced their concerns to the Trustees; they didn't want the Board to allow this facility in Del Norte. Trustee Gary Sabrowski made a motion and seconded by Trustee Bob Muncy to amend the Ordinance 668 to allow a marijuana cultivation facility. Roll call: Trustees Scavo, Yes; Trustee Ulrich, No; Trustee Muncy, Yes; Trustee Dinger: Yes; Mayor Chris Trujillo, No; Mayor Protem Archuleta, No; and Trustee Sabrowski Yes. Vote: 4-3 With much discussion on why would you want to allow a marijuana facility and not apply a local tax to help offset the cost of municipal services was discussed; then, Mayor Protem Annette Archuleta made a motion which amended previous motion with a new motion to refer the entire matter to the electors on the issue to whether to allow a cultivation facility with a 5% excise tax, motion was seconded Mayor Chris Trujillo. Roll call: Trustee Scavo, Yes;, Trustee Ulrich, Yes;, Trustee Muncy, Yes;, Trustee Dinger, No; Mayor Chris Trujillo Yes;, Mayor Pro-tem Archuleta Yes, and Trustee Sabrowski No. Vote: 5-2. Motion carried. Attorney Farish restated the motion so that he could clarify with the board that it would be a two part question on ballot which would combine both for approval by the electors. Then various citizens were in outrage with the vote.

NEW BUSINESS

Whitehead Management Group Liquor Renewal-Motion was made by Mayor Chris Trujillo to approve the liquor renewal seconded by Trustee Mark Ulrich. Roll call: All ayes. Mayor declared motion carried.

Boogies Liquor License Renewal--Motion was made by Mayor Chris Trujillo to approve the liquor renewal for Boogies seconded by Trustee Sam Scavo. Roll call: All ayes, Motion carried.

Attorney Report

Letter of Findings-High Valley Community Center and Lil Tikes Academy- Attorney Farish mentioned that he had submitted the Letter of Findings on the hearing for the Board of Adjustment and both were approved and they have been signed.

Amendment 69-Colorado Care-Attorney Farish wanted to let the Board know that this will be on the November ballot. The background on this amendment is that every resident would have lifelong healthcare coverage. Colorado Municipal League strongly opposes this amendment since it would create a new income tax and the employer would have a tax increase every year just to fund this healthcare.

Mayor Report

Other Business

Chamber Update- none

Planning Commission Appointment –Joe Archuleta and Lawrence Gonzales were appointed to Planning Commission. The Planning Commission will meet on July 27, 2016 at 2:30 p.m.

County-wide Rio Grande Recreation Department- Administrator Martinez mentioned to board that the Rio Grande Commission did not want to proceed forward with putting this on the November ballot. The three municipalities will take this up with Commissioners again next year.

Stephen Nicolias-Was not present but would like to know if the board would allow a flea market in the parks for Knights of Columbus. The market would be open every Saturday, and he didn't care what park. It was a consensus of the board not to allow it since it would tie our parks up if someone else wanted to use them.

Patti Kelly- Was not present would like to know and has submitted some paint colors for the board to review. She has asked to be allowed to paint the Mineral Well. The board did not want her to paint the well with the colors she submitted, but would allow her to remove the current paint to a more natural façade but not paint it.

EXECUTIVE SESSION

At approximately: 9:05 p.m. Motion was made Mayor Chris Trujillo to go into executive session for a conference with Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS 24-6-402(4)(b); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(6-402(4)(e) and to discuss the purchase, acquisition, lease, transfer, or sale of real property, or other property interest under CRS Section 24-6-402(4)(a) motion was seconded. Roll call: All ayes.

At approximately, 9:30 p.m. and the executive session has been concluded. The participants in the executive session were, Marty Asplin, Kevin Larimore, Ramona Dordan, Trustees; Sam Scavo, Mark Ulrich, Bob Muncy, Tony Dinger, Mayor Chris Trujillo, Mayor Pro-tem Annette Archuleta and Trustee Gary Sabrowski, Administrator Bernadette Martinez. Mayor Chris Trujillo stated for the record, if any person who participated in executive session believes that any substantial discussion of any matter not included in the motion to go into executive session occurred during executive session, or that any improper action occurred during the executive

session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. See none, the next agenda item is.

ADJOURNMENT

With no further business the meeting was adjourned.

Submitted and approved this 10th day of August 2016.