

Special Board Meeting  
Town of Del Norte  
October 18, 2021 at 4:00 p.m.

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in Special session on October 18, 2021 in the Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 4:00 p.m. There being present at the **CALL OF THE ROLL** the following persons: Roll Call: Town Board present: Trustee Louie Velasquez, Trustee Shelly Burnett, Trustee Leigh Anne Lobato, Trustee Joe Archuleta and Mayor Chris Trujillo, with Trustee Laura Anzalone and Mayor Pro tem Bob Muncy absent. Mayor Trujillo declared a quorum present.

Motion was made by Trustee Shelly Burnett to go into executive session for a conference with Town Attorney for the purpose of receiving legal advice on specific legal questions concerning Trustee removal under C.R.S. 24-6-402(4)(b). Motion was seconded by Trustee Joe Archuleta. Roll call: All ayes, Mayor declared motion carried.

Mayor Chris Trujillo stated it is October 18, 2021 that we are in executive session for the purpose of a conference with Town Attorney for receiving legal advice on specific legal questions concerning Trustee removal under C.R.S. 24-6-402(4)(b). As required by the Open Meeting Law those present at this executive session is: Trustee Leigh Anne Lobato, Trustee Shelly Burnett, Trustee Joe Archuleta, Trustee Louie Velasquez, Chief of Police Frank Archuleta, Code Enforcement Officer Nineah Martinez, Town Administrator/Clerk Bernadette Martinez, and Town Treasurer Ramona Dordan.

Attorney Eugene Farish stated it is opinion, that this is an executive session for Attorney Client communication. So I am therefore recommending that the recording of executive session is to be turned off at approximately 4:12 p.m.

Executive Session took place, until motion was made and carried to exit the executive session.

Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to come out of executive session at approximately 5:28 p.m., Mayor Chris Trujillo stated those present in executive session was Trustee Louie Velasquez, Trustee Shelly Burnett, Trustee Leigh Anne Lobato, Trustee Joe Archuleta and Mayor Chris Trujillo, along with Town Administrator/Clerk Bernadette Martinez, Town Treasurer Ramona Dordan, Code Enforcement officer Nineah Martinez, and Chief of Police Frank Archuleta. For the record, if any person who participated in the executive session believes that any substantial discussion of any matter not include in the motion to into executive session occurred during executive session, of that any improper action occurred during executive session in violation of the Open meeting law, I would ask that you stated your concerns for the record. Hearing none the next item is action of the results of the executive session.

Action by Town Board as a result of Executive Session relating to Trustee Laura Anzalone.

Recommendation by Town Attorney was to do the censure first and then take action on the public hearing.

Trustee Shelly Burnett made the motion to censure of Trustee Laura Anzalone for misconduct, seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Chris Trujillo declared motion carried. Trustee Shelly Burnett motion stated and read the full extent of the

#### MOTION FOR CENSURE

The Town Board of Trustees of the Town of Del Norte has received credible information from Town staff that Trustee Laura Anzalone has performed the following acts:

1. Trustee Anzalone has taken it upon herself to assume duties belonging to the Code Enforcement Officer by encouraging citizens to file complaints concerning the Del Norte lighting ordinance and has interfered with the Town Code Enforcement Officer's procedure and protocol making it difficult for her to perform her essential functions who creates confusion in the public as to who has the authority to enforce the town code. In doing so she has incurred liability for the Town in acting outside the scope of her proper authority.
2. Trustee Anzalone has attempted to call a Special Meeting of the Board of Trustees by contacting the Town Clerk and using the following language "We as Trustees...ask to have a special meeting to be held for the purpose of discussing Town procedure and Trustee appointees..." This correspondence did not have the concurrence of other Board Trustees, was deceptive, and such meeting would normally be a Work Session of the Board, which, when attempted to be called between regular meetings, could only be called by the Mayor.
3. Trustee Anzalone has stated to the Town Clerk/Administrator that there should be a replacement of Town Staff every few years thereby making their job performance more difficult, their tenure uncertain, imposing unnecessary stress upon their personal lives, and creating unnecessary tension in the work environment.

I, therefore, move that Trustee Anzalone be censured by the Board of Trustees for the above misconduct and warned that future similar infractions may result in her removal from office.

Town Attorney stated to the Town Board if they wanted him to put in the first paragraph the first sentence to add the language what Trustee Joe Archuleta had made reference to in adding to the sentence of who creates confusion in the public as to who has the authority

to enforce the town code. Town Board was in agreement. Motion was made Trustee Shelly to add the language motion was seconded by Trustee Louie Velasquez. Roll call; All ayes, Mayor declared motion carried.

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Louie Velasquez to cancel the public hearing scheduled for November 2, 2021 at 6:00 p.m. Roll call; all ayes, Mayor declared motion carried.

Motion was made by Trustee Joe Archuleta to adjourn the special meeting, seconded by Trustee Louie Velasquez. Roll call: ayes, Mayor Chris Trujillo declared motion carried.

Submitted this 10<sup>th</sup> day of November, 2021