

**Regular Town Board Meeting  
Town of Del Norte, Colorado  
November 10, 2021**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on November 10, 2021 in the Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 6:00 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, Trustee Laura Anzalone and Mayor Chris Trujillo, with Mayor Pro Tem Bob Muncy absent. Mayor Trujillo declared a quorum present.**

**MINUTES:**

Motion was made by Trustee Shelly Burnett and seconded by Trustee Joe Archuleta to approve the minutes for October 13, 2021 Regular Board meeting and Public Hearing, October 18, 2021 Special Board meeting, and October 28, 2021 Public Hearing. Trustee Laura Anzalone stated that before the approval of the Special Board Meeting for October 18, 2021, that according to Section 3.8 Town Code that all motion shall be recorded in full and after listening to the recording there was a motion that was made and it is not recorded in the minutes. Town Administrator stated to the Town Board that she will listen to the recording and amend the minutes to include the motion that was not addressed. Mayor Chris Trujillo asked Trustee Shelly Burnett to reinstate her motion to include amend and correct the Special Board meeting minutes for October 18, 2021. Seconded by Trustee Joe Archuleta, Roll call: All ayes, Mayor declared motion carried.

**CITIZENS COMMENTS**

John Mueller-approached the Town Board and stated that he is on the Town tree board and he wanted to thank Kevin and his crew for trimming the trees. And also wanted to thank Laura who is on the tree board as our representative for getting things moving with the budget. Also wanted to know about the (pfa ?) in the water it was the in High County news out of Panoia and wanted to know if it was in the water.

Denny Whitmore-wanted to know about the November 2, 2021 Public Hearing that was scheduled and wanted to know what was the discussion point of that meeting. Mayor Chris Trujillo stated that the meeting was cancelled and since Trustee Laura has hired an attorney, so we are not able to discuss it. Mr. Whitmore stated what concerns him is that private meetings are taking place with city government. Mayor Chris Trujillo stated that these are not private meetings. At the Special Board meeting the Town Board decided to not move forward with the November public hearing. Mayor Chris Trujillo stated that this will be an ongoing process, and he stated he was sure that if you read the newspaper you know what is going on.

**CONSENT AGENDA**

Chief Archuleta stated that he and Kevin's Public works reports are submitted and if the Town Board as any questions, they will be going that route so that the meeting isn't any longer that it needs to be. Chief did mention that the burglaries have gone down since the suspect is in jail. Public Works Kevin Larimore also reviewed his report. Kevin did want to bring up to the Town Board that Stan Johnson has contacted him and wanted to know if the Town would be interested in displaying three train cars in the west park. Stan just wanted to bring it to the attention of the Board and maybe it's something to think about. Motion was made by Trustee Joe Archuleta to approve the consent agenda, seconded by Trustee Louie Velasquez. Roll call all ayes Mayor declared motion carried.

**New Business:**

**Del Norte Public Library Amend Ordinance 472-** Glynnis Williams, Chair Person and Susan Williams, Library Director, and John Mueller Vice Chair person. Glynnis stated that they were not aware of Ordinance 472 and it states they are supposed to give a report to Town Board and submit insurance and their budget. At first Glynnis stated that she thought it was dumb ordinance until she got on the board. And realize the Ordinance is needed, and the only

thing they could amend is Section three: the number of members should state 5 to 7, instead of 5. Susan also stated they have been receiving donations for the story book walk, and they received more than they thought they were going to get. They are hoping for the Spring to start construction once all the materials are ordered.

**United State Forest Service Annexation-Martha Williams**-was present and mentioned to the Town Board that the US Forest Service is wanting to annex into the town and have access to the Town water system. Attorney Farish mentioned to Martha the process of annexation and also wanted to let her know that since we have received paperwork from Robert and Karen Willis who also wants to annex so this will be done as one annexation process, since both properties have 100% ownership. He also stated that both are scheduled to appear at Planning Commission meeting on November 16, 2021 to set the zoning the property to be annexed. Once Planning Commission sets the zoning on both properties this will go before the Town for a resolution of compliance, then we will start the publishing process.

**Set Budget Work session – Motion was made and seconded to schedule Friday, November 19, 2021 at 5:00 p.m. for a work session.**

**Planning Commission has made recommendation-** Town Board approved the short-procedure subdivision for Derek Platt, the property meets all the requirements. Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to approve the short procedure subdivision for Derek Platt at 1010 Oak Street, Del Norte. Roll call: All ayes, Mayor Trujillo declared motion carried.

**Steve Nicolais-Conditional Use for a Short term rental-**This item on the agenda was tabled until next month, to see if Steve would be able to attend the next Town meeting.

**Amended Minutes** the following Opioid MOU was add after reviewing the minutes at the December 8, 2021 Town Board meeting, **that action was taken to participate on the MOU for the Opioid settlement.**

*Opioid Settlement Memorandum of Understanding- Administrator Martinez received the needed paperwork to file with the State Attorney Offices, for those municipalities who wished to participate in the Opioid settlement. The paperwork has to be signed and sent to the State by Friday, November 5, 2021. We had briefly discussed this back in September the money is approximately, \$2000+ a year for the next 18 years. In order for the Town to participate in the nationwide settlement -with Co Attorney General Office to administer the funds, the paperwork has to be signed. We are eligible to receive a portion of the 20% allocation to local governments and to participate on the regional governing committee the attached MOU and supporting agreements must be signed. If we don't participate in this settlement, we don't receive any monies. The benefits of the settlement includes 1) control 80% of the funds locally, (20% by the Town and RG County, jointly 60%, by the six counties of the SLV as a region under the MOU; 2) the ability of the region to make decisions locally on how best to address the opioid crises in SLV; 3) the availability of the funds for 18 years. It was consensus of the Town Board to participate and sign the approval of the MOU for the Opioid settlement.*

### **Attorney Report**

**Ordinance No. 736** Wood and River RV Park annexation-Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Joe Archuleta to adopt Ordinance 736. Roll call: All yes, Mayor Chris Trujillo declared motion carried.

### **TOWN OF DEL NORTE ORDINANCE NO.736**

#### **AN ORDINANCE APPROVING AND DECLARING THE ANNEXATION OF TERRITORY KNOWN AS THE WOODS AND RIVER ANNEXATION TO THE TOWN OF DEL NORTE, COLORADO, AND ZONING THE ANNEXED PROPERTY**

**WHEREAS**, the owner of 100% of the tract hereinafter described has petitioned for annexation of said tract to the Town of Del Norte, Colorado, to-wit:

**A tract of land in the SE¼ of the NW¼ of Section 30, T. 40N, R. 6E, N.M.P.M.  
described as follows:**

**Beginning at a point on the east line of said subdivision, 50 feet Northerly at right angles from the center line of said main track as now located; thence North along the East line of said subdivision about 880 feet to the Northeast corner of said subdivision; thence west along the North line of said subdivision about 160 feet; thence South parallel with said East line of subdivision, about 865 feet to a point 50 feet Northerly at right angles from said center line of**

**main track; thence East parallel with said main track, about 162 feet to the point of beginning, containing 2.16 acres, more or less.**

**WHEREAS**, Resolution No. 5-2021 of the Del Norte Town Board of Trustees, found substantial compliance of said Petition with the requirements of C.R.S. § 31-12-101 et seq., and initiated annexation proceedings, and **WHEREAS**, the Board of Trustees finds that there exists more than one-sixth (1/6<sup>th</sup>) contiguity of total perimeter of said tract of land with the boundaries of the Town of Del Norte, and

**WHEREAS**, the Board of Trustees has found and determined and does hereby find and determine that it is in the best interest of the Town of Del Norte to annex said area to the Town, and

**WHEREAS**, the Town likewise desires to institute appropriate zoning for such annexed territory, and

**WHEREAS**, the parties have previously entered into an annexation agreement on March 21, 2019, which is incorporated in this Ordinance and which contains specific provisions as follows:

**Specific Provisions.**

- A. The Town will proceed with annexation of that parcel of property outlined in dark survey lines and pin marks and consisting of 2.16 acres ± on Exhibit A, incorporated herein by reference.
- B. The Town will allow the division of the property in addition to other property of Woods & River into the sites designated as Tract 1, composed of 2.59 acres ±, Tract 2, composed of 2.24 acres ± on Exhibit B, also incorporated herein by reference.  
The annexed portion of Tract 1 will be zoned Recreational Vehicle Park zone – consistent with adjacent zoning to the East of said tract. The annexed portion of Tract 2 will be zoned R2, Residential High Density zone – consistent with zoning to the east – all at the time of annexation.
- C. Woods & River will deed that portion of property platted as Lot #1 Cottonwood Acres Subdivision, lying East of the West line of Pine St, consisting of 0.36 acres ± and designated on Exhibit A as “area dedicated to the Town of Del Norte for Public Use – 0.36 acres ± (and shaded in yellow) in return for the vacation of that portion of Willow Street laying between Front Street and Water Street, shaded in blue and consisting of 0.55 acres ± on Exhibit A.
- D. Woods & River will dedicate that portion of the annexed property, shaded in orange on Exhibit A, and consisting of 0.36 acres ±, to the Town as on Western extension of Front Street, which the Town agrees to accept.
- E. Woods & River will be allowed to add twenty to twenty-four additional components to Woods and River RV Park, consistent with the provisions of §18-1-10 et seq Del Norte Municipal Code (Zoning Code of the Town of Del Norte) after receipt of engineering plans and upon approval by the Del Norte Planning Commission and Town Board of Trustees, and

**WHEREAS**, that, in annexing said property to the Town of Del Norte, the Town of Del Norte does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the Town of Del Norte, and

**WHEREAS**, the Board of Trustees has by resolution determined that the requirements of C.R.S. 31-12-104 and 105 have been met, that an election is not required, and that no additional terms or conditions are to be imposed on the annexed area, and

**WHEREAS**, after notice pursuant to C.R.S. 31-12-108, the Board of Trustees has held a public hearing on the proposed annexation to determine if the annexation complies with C.R.S. 31-12-104 and 105.

**NOW THEREFORE**, be it ordained by the Board of Trustees of the Town of Del Norte, Colorado:

The Board of Trustees further finds, determines and declares that the annexation of the territory described and referred to above has now been accomplished, effected and completed and said territory has become and now is a portion of the Town of Del Norte, Colorado and included within its corporate limits, and the boundaries of said Town are hereby duly changed to include all of said territory.

The Board of Trustees, having received the recommendation of the Planning and Zoning Commission of the Town of Del Norte that Tract 1 referenced in paragraph 2B and 2C, Tract 2 also referenced, be zoned as: Tract 1 Recreational Vehicle Park (RVP) and Tract 2 Residential High Density (R-2) of the above-described territory, the Board of Trustees approves the recommendation of the Planning and Zoning Commission and hereby zones said parcels of property as stated.

That within thirty (30) days after the effective date of this ordinance, the Town Clerk is hereby authorized and directed to:

- File one copy of the signed annexation map with the original of the annexation ordinance in the office of the Town Clerk of the Town of Del Norte.
- File three certified copies of the annexation ordinance and map of the area annexed containing a legal description of such area with the Rio Grande County Clerk and Recorder.

INTRODUCED AS AN ORDINANCE AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE, COLORADO, ON THE 10<sup>th</sup> DAY OF NOVEMBER, 2021.

DONE AND SIGNED this 10<sup>th</sup> Day of November, 2021.

/s/ Chris Trujillo, Mayor

ATTEST:

/s/ Bernadette Martinez, Town Administrator/Clerk

### **Committee Updates/Other Business**

**Chamber of Update**-Kevin Hass stated they will be hosting "meet the candidates" for Del Norte school board. Also, they were looking at advertising in a magazine using tourism dollars. He invited the Board to attend the Chamber meetings, they are the second Monday of each month at 2:00 p.m. at the Windsor Hotel. The parade of lights event will go along the same as last year, no parade downtown, but will have the parade of lights tour throughout town. Chief Archuleta stated to Kevin he will submit the parade permit to CDOT just in case they decide to have the parade.

Trustee Shelly Burnett gave the Board an update on *Rio Grande Commissioner Breakfast meeting*. RG Commissioner Gene Glover had stated that he did bring it to the attention of the RG Commissioners that we were interested in doing a joint venture on the property lot across from the RG Museum. Commissioner Glover stated they were looking at using the parking lot to display vintage tractors, but would bring up the conversation again. He also mentioned that they want to keep the soccer fields as a community based park and renovate the baseball field that is there and work on fixing the sprinkler system. A member of the audience stated that RG Commissioner was having a clean-up day on Saturday, November 13<sup>th</sup> starting at 10 a.m. for cleaning up the soccer field.

Trustee Laura Anzalone mentioned the paperwork that she has received on Energize Colorado and stated that it didn't fit the criteria for the Town, but maybe for Angie Jenson who does own several lots in Town this would at least warrant a phone call for her to contact Energize Colorado.

### **ADJOURNMENT**

With no further business the meeting was adjourned  
Submitted and approved this 10th day of November 2021.