

**Regular Town Board Meeting
Town of Del Norte, Colorado
December 8, 2021**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on December 8, 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 Mayor Pro tem Bob Muncy and Mayor Chris Trujillo. Mayor Trujillo declared a quorum present.

MINUTES

Motion was made and seconded to approve the following minutes of the Public Hearing: November 10, 2021, Regular Board Meeting: November 10, 2021, and the Special Board Meeting for November 19, 2021 amending the November 10, 2021 to add that the Town Board did approve participation in the Opioid settlement with the memorandum of understanding with Colorado Attorney General office and Trustee Laura's Anzalone statement at the end of the meeting be removed from the minutes. Roll call: All ayes. Mayor declared motion carried.

CITIZEN'S COMMENTS

Glynnis Williams and Susan Williams from the Del Norte Library presented the Town board with information on the installation of a bike rack for the Library, and would like to discuss this at the January 2022 board meeting. Dennie Wetmore also approached the Town board and cited many Town codes and wanted to know why they weren't being followed, minutes on the website. Mayor Trujillo stated to Mr. Wetmore if these could be addressed prior to the Board meeting, we would be able to answer his questions. Town Treasurer Ramona Dordan also addressed Mr. Wetmore stating what he is asking is not fair to the Town Board or Staff thinking that we should know every Town code and regulations that he was asking at the top of our heads, if he wants answers these could be addressed by a phone call to Town Hall. Susan Williams also asked Mr. Wetmore what he was trying to accomplish by attending these meetings and asking these types of questions, she stated that it seems we all need to work together. Clay Rosele approached the podium and made a comment commending Trustee Laura Anzalone for all the work she has done for the Town.

CONSENT AGENDA

Town Treasurer mentioned to the Town Board that USDA is requiring that the monies for the collection system from USDA have two separate designated reserve accounts; Debit service reserve for \$142,440 it is fully funded discontinue monthly/annual deposits and Short Lived asset reserve \$8907 on annually life of the loan, so she is requesting from Town Board to be allow her to set up these accounts. Motion was made by Trustee Shelly Burnett and seconded by Mayor Pro-tem Bob Muncy to set up these accounts. Roll call: All ayes, Mayor Trujillo declared motion carried. Kevin Larimore Public works submitted his report along with Chief of Police Frank Archuleta.

NEW BUSINESS:

Motion was made Mayor Pro tem Bob Muncy and seconded by Trustee Laura Anzalone to approval Certify Annual Mill Levy for 2022. Roll call: All ayes, Mayor declared motion carried.

Motion was made by Mayor Pro tem Bob Muncy and seconded by Trustee Joe Archuleta for approval of Ordinance No.737 Amending General Fund Budget for 2021. Roll call: All yes, Mayor declared motion carried.

Ordinance No, 737

AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR 2021 APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNT BUDGETED FOR THE TOWN OF DEL NORTE (Pursuant to Section 2-1-109, C.R.S.)

WHEREAS, the Town of Del Norte adopted the 2021 budget and appropriated funds in accordance with C.R.S. 29-1-103; and

WHEREAS, in response to the COVID-19 global pandemic, the United States government enacted the American Rescue Plan Act of 2021, H.R. 1319, 117th Cong. (2021) ("ARPA"); and

WHEREAS, ARPA established and appropriated funds to the Coronavirus Local Fiscal Recovery Fund to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19); and

WHEREAS, the Town may spend ARPA Funds on qualifying expenditures obligated by December 31, 2024 and must expend such funds by December 31, 2026;

WHEREAS, the Town has received \$197,000 dollars in ARPA Funds in 2021, which monies were not included in the approved 2021 budget; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE:

Section 1. That the 2021 appropriation for the General Fund is hereby increased from \$848,684 to \$1,045,684. For the following purposes:
Qualifying Expenditures of the American Rescue Plan Act

Section 2. That the sum of \$197,000 is hereby designated as appropriated from un-appropriated and unrestricted funds, the monies are from the ARPA Funds received in 2021.

ADOPTED THIS 8th day of December, 2021

Motion was made by Trustee Laura Anzalone and seconded by Mayor Pro tem Bob Muncy to approve Ordinance 738 Levying general property taxes for the year 2021. Roll call: All yes, Mayor declared motion carried.

ORDINANCE NO. 738

AN ORDINANCE LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2021, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF DEL NORTE, COLORADO, FOR THE 2022 BUDGET YEAR.

WHEREAS, the Board of Trustees of the Town of Del Norte, has adopted the annual budget in accordance with the Local Budget Law, on December 8, 2022 and;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$144,159, and;

WHEREAS, the 2021 valuation for assessment for the Town of Del Norte as certified by the County Assessor is \$12,211,408.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the Town of Del Norte during the 2022 Budget year, there is hereby levied a tax of 13.223 mills (plus a refund/ abatement of .014 - \$168.00) and minus a 1.404 Temporary Mill Levy Rate Reduction for a total of 11.833 upon each dollar of the total valuation for assessment of all taxable property within the Town for the year 2021. The temporary mill levy reduction (.1404) includes a \$17,144 reduction of property tax revenue to restrict the revenue in accordance with the 5.5% revenue limit. This is a Temporary mill levy 11.833.

Section 2. That the Mayor is hereby authorized and directed to immediately certify to the County Commissioners of Rio Grande County, Colorado, the mill levies for the Town of Del Norte as hereinabove determined and set.

ADOPTED this 8th day of December 2021.

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett to approve Ordinance No. 739 Summarizing expenditures and revenues for each fund and adopting a budget for 2022. Roll call: All yes, Mayor declared motion carried.

Ordinance NO: 739

AN ORDINANCE SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF DEL NORTE, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2022 AND ENDING ON THE LAST DAY OF DECEMBER 2022.

WHEREAS, the Board of Trustees of the Town of Del Norte has appointed Ramona Dordan, Budget Officer to prepare and submit a proposed budget to said governing body at the proper time; and;

WHEREAS, Ramona Dordan has submitted a proposed budget to this governing body on October 13, 2021 for its consideration, and;

WHEREAS, upon due and proper notice, published in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 10, 2021, at 5:30 PM, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law, as follows:

EXPENDITURES:

GENERAL FUND	\$1,323,462
WATER FUND	\$ 513,754
SEWER FUND	\$ 486,807
DEBT SERVICE FUND	\$ 490
CAPITAL IMPROVEMENT FUND	\$ 767,916
CONSERVATION TRUST FUND	\$ 11,200
TOTAL EXPENDITURES:	\$3,103,629

REVENUES:	Cash/in-kind	Reserve/Fund Balance	
GENERAL FUND	\$ 1,111,086	\$ 212,376	\$1,323,462
WATER FUND	\$ 513,754		\$ 513,754
SEWER FUND	\$ 486,807		\$ 486,807
DEBT SERVICE FUND	\$ 490		\$ 490
CAPITAL IMPROVEMENT FUND	\$ 405,300	\$362,616	\$ 767,916
CONSERVATION TRUST FUND	\$ 11,200		\$ 11,200
TOTAL REVENUES	\$ 2,528,637	\$574,992	\$ 3,103,629

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE, COLORADO:

Section 1. That the budget as submitted, amended, and hereinabove summarized by fund, hereby is approved and adopted as the budget of the Town of Del Norte for the year stated above.

Section 2. That the budget hereby approved and adopted shall be signed by the Mayor of the Town of Del Norte and made a part of the public records of the Town.

ADOPTED, this 8th day of December, 2021.

Motion was made by Leigh Anne Lobato and seconded by Trustee Joe Archuleta to approve Ordinance No. 740 appropriating sums of money to the various funds and spending agencies. Roll call: All yes, Mayor declared motion carried.

ORDINANCE NO. 740

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF DEL NORTE, COLORADO, FOR THE 2022 BUDGET YEAR.

WHEREAS, the Board of Trustees of the Town of Del Norte has adopted the annual budget in accordance with the Local Government Budget Law, on December 8, 2021 and;

WHEREAS, the Board of Trustees of the Town of Del Norte has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated:

	Property Tax	Un-appropriated Surpluses(reserves)	Other Sources Cash/In kind	Total
GENERAL FUND	\$144,159	\$212,376	\$ 966,927	\$ 1,323,462
WATER FUND			\$ 513,754	\$ 513,754
SEWER FUND			\$ 486,807	\$ 486,807
DEBT SERVICE FUND			\$ 490	\$ 490
CAPITAL IMP. FUND		\$362,616	\$ 405,300	\$ 767,916
CONSERV. TRUST FUND			\$ 11,200	\$ 11,200
TOTAL REVENUES	\$144,159	\$574,992	\$ 2,384,478	\$ 3,103,629

Section 2. That unspent revenues available on December 31, 2021 are hereby designated as "reserve increases".

ADOPTED THIS 8th DAY OF DECEMBER, 2021

Motion was made Mayor Pro Tem Bob Muncy and seconded by Trustee Louie Velasquez to adopt Resolution 5-2021 Water and Sewer rates for 2022. Roll call: All yes, Mayor declared motion carried.

Resolution No. 05-2021

A RESOLUTION ESTABLISHING INCREASED METERED AND UNMETERED RATES AND CHARGES FOR WATER AND SEWER FOR THE TOWN OF DEL NORTE, COLORADO.

WHEREAS, Ordinance No. 519 granted authority to the Board of Trustees of the Town of Del Norte, to periodically establish metered and unmetered water and sewer rates for the Town of Del Norte, Colorado; and

WHEREAS, the Board of Trustees recognizes the necessity for establishing rates which will adequately cover the cost of current operation of the Town water and sewer system;

NOW THEREFORE, be it hereby resolved by the Board of Trustees of the Town of Del Norte that the following rates are hereby established effective January 1, 2022, for metered and un-metered water and sewer rates and charges for the Town of Del Norte, Colorado:

Town Code Section 13.1.220 and 13.1-230 Metered Water and Unmetered Rates and charges and Town Code Section 13-2-70 Sewer Rates and charges.

Metered water rates: Any property, whether residence, commercial or other use of water supplied by the town which has a meter installed by the town shall be assessed a charge. The meters shall be read by the town once a month and charges shall be billed once a month. In the event of a meter being damaged by the owner applicable charges shall apply. Should meters or water tap be installed to property owners outside of the limits of the town, the applicable rate shall be one and one-half times the rates set forth. A monthly water service fee shall be payable as long as the water system is available for use to any unit (apartment or mobile home) or business to the property.

Beginning on the first day of January, 2022 usage; therefore, the increase will reflect on the bill that is received on February 1, 2021. And on the first day of the month thereafter, the following rates shall be assessed and charged:

Rates for water measured through meters located inside the corporate limits of the Town.

Rate Class	Monthly Base Fee	Charges per 1000 gals	Other Charges
Residential Water (WIF) Improvement Fee	\$27.26 \$6.00	\$1.99	Bulk Rate (Summer Construction Only) \$50.00 meter deposit non-refundable \$0.05 per gallon
Commercial	\$29.58	\$2.58	Water Availability for service fee \$10.00 when water is off
Apartments Per unit	\$27.26	\$1.99	Shut off Notice accounts that have to be posted for non-payment additional \$25.00
Government, Schools, and Churches	\$29.58	\$2.58	Wasteful of water \$100.00 per month caused by leak after owner has been notified to repair.

All sewer rates and charges shall remain in effect and be payable per month as long as the sewer system is available for use to the property. The water use and service to such property or the cessation of such water use and service shall not affect sewer rates and charges. Such rates

and charges of property owners outside the limits of town shall be one and half times the rate, along with tap fees and installations. A monthly wastewater service fee shall be payable as long as the wastewater system is available for use to any unit (apartment or trailer) or business to the property.

<u>Sewer Rate</u>	<u>Monthly Flat Fee</u>		
Residential	\$42.75		
Commercial	\$42.75		
Apartments/ Mobile Homes per unit	\$42.75		
Government, Schools, and Churches	\$42.75 per building		

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Del Norte, Colorado, held on December 8, 2021.

Motion was made by Trustee Leigh Anne Lobato and seconded Trustee Louie Velaquez to approve Resolution 6-2021. Roll call: All yes, Mayor declared motion carried.

Resolution No 6-2021

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF DEL NORTE, COLORADO, DESIGNATING THE TOWN CLERK OF THE TOWN OF DEL NORTE TO CONDUCT THE REGULAR MUNICIPAL ELECTION, SCHEDULED FOR APRIL 5, 2022, AS POLLING PLACE ELECTION.

WHEREAS, the Board of Trustees desires to have the Town Clerk serve as the Election official for the Town of Del Norte; and

WHEREAS, the Board of Trustees further desires that the Election official be authorized to appoint election judges.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE, COLORADO, as follows:

Section 1. The Town Clerk is hereby designated as the Elections Official for the Town of Del Norte.

Section 2. The Town Clerk, in his/her capacity as the Election official for the Town of Del Norte, is hereby authorized to appoint election judges and take all other steps necessary for Del Norte Regular Municipal Election.

PASSED AND ADOPTED THIS 8th day of December 2021.

Certification of Liens for Town Services 2021 to Rio Grande County Treasurer- Town Administrator Martinez mentioned to the Town Board that she was giving residents that are on the list until December 14, 2021 to pay any outstanding amount on their utility statement before she sends it over the Rio Grande County Treasurer for lien on the property. As of today the amount is \$19502.83. Motion was made Trustee Shelly Burnett to certify all utility bills that are in arrears to Rio Grande County Treasurer seconded by Trustee Leigh Anne Lobato. Roll call: All yes, Mayor declared motion carried.

Municipal Judge- request for proposals (or letter of interest) new municipal judge discussion was tabled until January 24, 2022 work session at 5:00 p.m. following the public hearing for annexation.

COMMITTEE/OTHER BUSINESS:

Chamber Update- Request to paint D Mountain it was consensus of the Town Board to purchase paint for Del Norte Chamber to paint the D mountain.

Planning Commission- Sec. 7-1-130 Noxious Weed and Maintenance of Vegetation- Discussion was held some changes needed to be made; 7.1.33 Land Owners Right and Responsibilities-(g) The growth of native grasses, wildflowers, or sedges, that exceed (12") inches in height within a natural landscaping area including yards, retention/detention areas, and rain gardens on private property shall require a natural landscaping permit. Replace with (5) inches not (12) inches. And also the last page (iii) Grasses with a natural landscape shall be mowed or cut to (12) twelve inches or less at least once prior to September 1st of each calendar year. (iii) this section to be removed. Changes will be made and submitted for ordinance approval at the January board meeting.

Tree City USA certification application and Approval of submission for Xcel grant. Motion was made Trustee Shelly Burnett for the approval of the submission of the Xcel grant, seconded by Trustee Leigh Anne Lobato. Roll call: All ayes, Mayor declared motion carried.

ATTORNEY REPORT

Annexation Petitions- USDAFS and Robert and Karen Willis

Motion was made Trustee Leigh Anne Lobato and seconded by Mayor Pro tem Bob Muncy to adopt Resolution 7-2021- Substantial Compliance and Set Public Hearing date on Annexations for January 24, 2022 at 5:00 p.m. Roll call: All ayes, Mayor declared motion carried.

RESOLUTION 7-2021

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE FINDING SUBSTANTIAL COMPLIANCE AND INITIATING ANNEXATION PROCEEDINGS FOR THE U.S. FOREST SERVICE DEPARTMENT OF AGRICULTURE, RIO GRANDE NATIONAL FOREST & WILLIS ANNEXATION

WHEREAS, a written petition, together with four (4) prints of annexation maps, have been filed with the Town Clerk requesting the annexation of certain properties to be known as the U.S. Department of Agriculture Forest Service, Rio Grande National Forest & Willis Annexation, as more particularly described below; and

WHEREAS, the Town Board of Trustees desires to initiate annexation proceedings for the U.S. Department of Agriculture Forest Service, Rio Grande National Forest & Willis Annexation in accordance with the Municipal Annexation Act, Section 31-12-101, et seq., Colorado Revised Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE as follows:

- Section 1. That the Town Board of Trustees hereby makes and adopts the determinations and findings contained in the recitals set forth above.
- Section 2. That the Town Board of Trustees hereby accepts the annexation petition for the U.S. Department of Agriculture Forest Service, Rio Grande National Forest & Willis Annexation, more particularly described as situate in the County of Rio Grande, State of Colorado, as Exhibit A1 & A2 and Exhibit B1 & B2, respectively.
- Section 3. That the Board of Trustees hereby finds and determines that the annexation petition for the U.S. Department of Agriculture Forest Service, Rio Grande National Forest & Willis Annexation is in substantial compliance with the Municipal Annexation Act in that the petition contains the following:
An allegation that it is desirable and necessary that such area be annexed to the municipality;
- 1) An allegation that the requirements of the C.R.S. sections 31-12-104 and 31-12-105 exist or have been met;
 - 2) An allegation that the signer(s) of the petition comprise more than fifty percent of the landowners in the area and own more than fifty percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;
 - 3) The signature(s) of such landowner;
 - 4) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
 - 5) The mailing address of such signer;
 - 6) The legal description of the land owned by such signer;
 - 7) The date of signing of the petition; and
 - 8) The affirmation of the signer that the signature therein is the signature of the person whose name it purports to be.
- Section 4. That the Town Board of Trustees hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the U.S. Department of Agriculture Forest Service, Rio Grande National Forest & Willis Annexation is in substantial compliance with the Municipal Annexation Act in that the map contains the following:
A written legal description of the boundaries of the area proposed to be annexed;
- 1) A map showing the boundary of the area proposed to be annexed;
 - 2) Within the annexation boundary map, a showing of the location of the ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks; and
 - 3) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality, and no other municipality abuts the areas proposed to be annexed.
- Section 5. That the Notice attached hereto as Exhibit "C" is hereby adopted as a part of this Resolution. Said Notice established the date, time, and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above described property. The Town Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Town Board of Trustees of the Town of Del Norte, this 8th day of December, 2021

Trustee Laura Anzalone mentioned to the Board about getting a committee together to discuss a plan for our Town parks. It was decided to add this to the work session on January 24, 2022.

No further business before the Town Board meeting was adjourned.

Submitted this 12th day of January 2022.