

**Regular Town Board Meeting
Town of Del Norte, Colorado
February 9, 2022**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on February 9, 2022 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, Mayor Pro tem Bob Muncy, Trustee Joe Archuleta and Mayor Chris Trujillo, with Trustee Laura Anzalone absent. Mayor Trujillo declared a quorum present.

MINUTES:

Motion was made Mayor Pro Tem Bob Muncy and seconded by Trustee Louie Velasquez to approve the January 12, 2022 Town Board meeting and the January 24, 2022 Public Hearing. Roll call: All ayes. Mayor declared motion carried.

CITIZEN'S COMMENTS:

Will Kreutzer approached the Town Board and would like Chamber update to be put back on the Town agenda. He stated that the Del Norte Chamber is using tourism monies to highlight Del Norte stories and riders in the summer and fall series of the Del Norte magazine. Rhythm on the Rio coming to Del Norte is going to be a big attraction for our area, and discussion of a pedestrian sidewalk across the bridge only makes sense if R&R does become one of the Town's big summer events.

Dennis Wetmore asked once again about Trustee Laura Anzalone case and wanted to know the next steps moving forward, and what are the details of getting to this point. Trustee Leigh Anne Lobato addressed Dennis Wetmore continuing comments of wanting information every month about case with Trustee Laura Anzalone. Mayor Chris Trujillo also stated he had no idea on a timeline it's handled through the courts.

CONSENT AGENDA

Kevin mentioned to the Board Del Norte Public works department has new sign, along with the Police department. Mayor Pro tem Bob Muncy asked about a maintenance plan scheduled to clean up the cemetery. Chief Archuleta mentioned that Nadine has officially retired, and is waiting for the three new speed radar signs to come in. Motion was made by Trustee Joe Archuleta and seconded by Trustee Louie Velasquez to approve consent agenda. Roll call: All ayes, Mayor Trujillo declared motion carried.

UNFINISHED BUSINESS:

William Myers- Sustainable Water Group-Set work session date set for February 23, 2022 at 2:00 p.m. for discussion of the Town excess water credits.

Ordinance No. 741-Noxious Weeds and Maintenance of Vegetation- with some discussion motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett to have a joint work session with Planning Commission at their regular scheduled meeting on March 15, 2022 at 5:00 p.m. to discuss noxious weeds. Roll call: All ayes, Mayor Trujillo declared motion carried. Armando Ross, with RG Weed District addressed some of his concerns with the native grasses that some property owners in Town are allowed to grow. He will attend the Planning Commission meeting.

NEW BUSINESS:

Lisa Karst-Cats Alive-Lisa approached the Town Board to discuss the cat problem in Del Norte and hopes the Town is willing to address it yearly with monetary monies added to the budget every year, it takes \$50/per cat. Lisa stated to the Board that she has invested over \$200k of her own monies to help control the cat population, since local shelters don't take cats. With some discussion Trustee Shelly Burnett made a motion to give Lisa \$400 at this time and will look at more monies in the future, since this is not a budget item. Motion was seconded by Trustee Joe Archuleta. Roll call: All yes, Mayor declared motion carried.

Brian Lujan (Team Center/ West SLV Team)Marty Asplin-Road to Recovery submission approval for IHOP (Innovative Housing Planning Grant) – Brian Lujan, Town Manager for the Town of Center approached the Town Board and gave the Town Board a little background on the Road to Recovery roadmap team West SLV Team. Center is the lead on the program. It started with Department of Local Affairs (DOLA) reaching out to all the municipalities and counties to create a sixteen regional area team to help with Covid-19 recovery. So, I reached out by email and contacted the Town of Saguache, Town of La Jara, Town of Del Norte, and Upper Rio Grande Economic, Action Lab 360, and Center Schools District to discuss a common interest and goals they were looking at which is; housing and infrastructure, business and youth entrepreneurship start up help, workforce talent and development, and if they wanted to participate in a regional team. So, when we established our team one of the biggest focuses was to create a blueprint for other municipalities to follow. When SLV Housing Coalition came out with their

housing assessment on Valley municipalities showing a need, which lead the Team to look at a grant that came out through House Bill 1271, to help municipalities with housing issues. The Team started to look into this grant to get a consultant to work with each Town on training Boards on zoning codes in-conjunction with dilapidated home and start working relationship with property owners who have these homes. Brian stated his reason to meet with the Town Boards is to ask for matching funds to apply for the grant? He is asking for \$5000 from each municipality, Del Norte, La Jara, and Saguache, and his Town Center has already agreed to fund the amount, plus also to administer the grant. Brian mention the total grant is \$80k, with each Town matching the \$5k which would put us at the twenty percent match. With some discussion motion was made by Trustee Shelly Burnett and seconded by Trustee Joe Archuleta to give the \$5k for matching funds for the grant. Roll call: All yes, Mayor declared motion carried. Town Board thanked Brian.

Marty Asplin-Del Norte Trail Organization-Trail easement- Marty Asplin asked the Town Board if they would be willing to accept another trail easement from the Off family. Del Norte Trails will pay for the survey and submit paperwork for the easement. Mayor Pro tem Bob Muncy made a motion to accept another easement from the Off's if they are willing to give to the Town, seconded by Trustee Joe Archuleta. Roll call: All ayes, Mayor declared motion carried. Marty stated if they accept he will submit the paperwork to Town Attorney.

Wes O'Rourke-Mercado Del Norte summer events- Wes O'Rourke approached the Town Board to see if they could move forward with this year's summer events. They would still have the Mercado on Spruce for more visibility and still have the final Mercado event in the park in September. Wes stated that all of concerns last year were addressed and if any new concerns come up they also will address them. With discussion the Town Board was in consensus to continue the market, no action will need to be taken tonight, until special events applications are submitted.

Del Norte Library Appointment of Linda Robinson – Motion was made by Trustee Shelly Burnett to appoint Linda Robinson to the Library District, seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Trujillo declared motion carried.

Kehr and Company, LLC –d/b/a Colorado Grill -Liquor license renewal- Brandi McClure was present just in case there were any parking issues. Motion was made by Trustee Leigh Anne Lobato to approve the liquor license renewal for Kehr and Company, LLC; motion was seconded by Mayor Pro tem Bob Muncy. Roll call: All ayes, Mayor Trujillo declared motion carried.

CF Altitude, LLC- Alta#5504 -Liquor license renewal- Motion was made Trustee Leigh Anne Lobato approve the liquor license for CF Altitude, LLC; motion was seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Trujillo declared motion carried.

ATTORNEY REPORT

Attorney Farish mentioned that Del Norte has accomplished annexations, storage containers, and short term rentals and Del Norte should be proud. Since other municipalities are just starting some of these issues.

COMMITTEE UPDATES/OTHER BUSINESS

Planning Commission will be tackling ADU, accessory dwelling units at their scheduled meeting on the 15th of February.

EXECUTIVE SESSION

Motion was made by Trustee Leigh Anne Lobato and seconded by Shelly Burnett to go into executive session for a conference with Town Attorney for the purpose of receiving legal advice on pending litigation of Trustee Laura Anzalone under C.R.S. 24-6-402(4)(b). Also action if needed by Town Board as a result of receiving legal advice in executive session. And a second executive session for a conference with Town Attorney for the purpose of receiving legal advice on possible litigation of the Del Norte Fire District the fire siren under C.R.S. 24-4-402 (4)(b). Also action if needed by Town Board as result of receiving legal advice in executive session. Roll call: Ayes, Mayor declared motion passed.

Mayor Chris Trujillo stated it is February 9, 2022 the time is approximately 7:22 p.m. as required by open meeting law; this executive session is being electronically recorded. Also present at this executive session are the following persons. Trustee Leigh Anne Lobato, Mayor Pro Tem Bob Muncy, Trustee Shelly Burnett, Trustee Joe Archuleta Myself Chris Trujillo, Trustee Louie Velasquez, Town Attorney Gene Farish, Attorney Nicolas Poppe, attendance by zoom and Town Administrator Bernadette Martinez. This is a executive session for the following purpose; for receiving legal advice on pending litigation of Trustee Laura Anzalone under CRS 24-6-402(4)(b). I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session. If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make objection.

Attorney Eugene Farish stated it his 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 7:23 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 Leigh Anne Lobato to come out of executive session at approximately 9:17 p.m., Mayor Chris Trujillo stated

those present in executive session was Trustee Louie Velasquez, Trustee Joe Archuleta, Trustee Shelly Burnett, Trustee Leigh Anne Lobato, Mayor Pro tem Bob Muncy and Mayor Chris Trujillo, along with Town Administrator/Clerk Bernadette Martinez, (Chief Frank Archuleta for second part, Public Works Kevin Larimore for second part- Del Norte Fire Siren) and Town Attorney Eugene Farish. 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, no action taken. A letter will be sent by Town Attorney Farish to Fire District's attorney of our intentions.

AJOURNMENT

Motion was made by Trustee Shelly Burnett and seconded by Trustee Joe Archuleta to adjourn.

Submitted this 9th day of March 2022