

**Del Norte Regular Town Board Meeting
November 9, 2022**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on November 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, Mayor Pro tem Bob Muncy, Trustee Brenton Williams, Trustee Leigh Anne Lobato, Trustee Shelly Burnett, Mayor Chris Trujillo and Trustee Joe Archuleta absent. Mayor Pro tem declared a quorum present.

MINUTES:

Motion was made by Mayor Pro tem Bob Muncy and seconded by Trustee Brenton Williams to approve the October 12, 2022. Roll call: All ayes. Mayor declared motion carried.

CITIZEN'S COMMENTS- Dennie Wetmore asked about the Town website why the minutes weren't updated. Town Administrator stated she didn't feel that she needed to post the minutes, when the Board packet is available online and the minutes are attached to the packet.

CONSENT AGENDA

Kevin stated that he had nothing to report, the roof is finally done, and the windows in the old shop will be getting replaced in the next couple of days. Chief Archuleta did state that car thefts are up and encourages everyone to lock their doors. Motion was made by Trustee Shelly Burnett and seconded by Trustee Brenton Williams to approve consent agenda. Roll call: All ayes, Mayor declared motion carried.

UNFINISHED BUSINESS:

Xcel Energy Proposal for street light on Second and Pine Street- Motion was made by Trustee Brenton Williams to approve the installation of a new street light on Second and Pine Street, motion was seconded by Mayor Pro tem Bob Muncy. Roll call: All yes, Mayor declared motion carried.

NEW BUSINESS:

Special Event Permit- La Vereda Foundation- December 3, 2022-Motion was made by Trustee Shelly Burnett to approve the Special Events Permit for La Vereda Foundation, seconded by Trustee Louie Velasquez. Roll call: All ayes, with Trustee Leigh Anne Lobato abstaining. Mayor declared motion carried.

Special Event Permit-DN Chamber – Parade of Lights –December 16, 2022-Motion was made by Trustee Leigh Anne Lobato to approve the special events permit for Del Norte Chamber, seconded by Trustee Louie Velasquez. Roll call ayes, Mayor declared motion carried.

Windsor Hospitality Group- Hotel and Restaurant –Liquor renewal- Motion was made by Trustee Leigh Anne Lobato to approve the liquor license for Windsor Hospitality Group, motion was seconded by Trustee Shelly Burnett. Roll call: All ayes, Mayor declared motion carried.

Ordinance No. 745-Defray the expenses in excess amount budgeted in Conservation Fund

Ordinance No. 746-Defray the expenses in excess amount budgeted in Sewer Fund

Ordinance No. 747-Defray the expenses in excess amount budgeted in Water Fund – Discussion was held on all of the Ordinance and motion was made by Trustee Shelly Burnett to approve the above Ordinance 745, 746, and 747, seconded by Trustee Louie Velasquez. Roll call: All yes, Mayor declared motion carried.

Blue Cross/Blue Shield Anthem- Employee Health Insurance and Air Med Care application-Discussion was held that the employee health insurance had an increase of 2.47% for 2023, also discussed if any Town Board member wanted to sign up for Air Med care, they could under the Town's family and friends paperwork. Motion was made by Trustee Shelly Burnett approve the Blue Cross/Blue Shield insurance for 2023, seconded by Trustee Brenton Williams. Roll call: All yes, Mayor declared motion carried.

COMMITTEE UPDATES/OTHER BUSINESS

Chamber Update – no one was present

Del Norte Code Enforcement brochure- Code Enforcement Officer Nineah Martinez presented the Town Board her brochure that will be going out to all residents in January, if they wanted to add or delete, or make comments she would welcome it.

ATTORNEY REPORT

Municipal Judge- Discussion was held on appointing Judge Barbara Zollars to Del Norte Municipal court replacing Judge James McDonald. Motion was made to appoint Judge Barbara Zollars to Del Norte Municipal court on an interim basis of six months, along with revisiting the municipal court as a record status. Motion was seconded by Mayor Pro Tem Bob Muncy, seconded by Trustee Shelly Burnett. Roll call: All ayes, Mayor declared motion carried.

Ordinance No. 748-Amend model traffic code surcharges and Ordinance No. 749 amending reenacting Chapter 8 (Vehicles and Traffic of the Del Norte Municipal Code- Motion was made by Trustee Shelly Burnett to amend the ordinances, seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor declared motion carried.

HB-21-1162 Plastic Pollution Reduction Act- Town Administrator presented HB21-1162 to Town Board to let them know that some of merchants in Town will be charging a plastic bag fee. This bill passed by the Colorado State Legislature in 2021, the State will place a 10-cent fee on all single-use disposable bags supplied by retailers to customers (plastic and paper bags) starting January 1, 2023. The bill bans single-

use plastic bags and polystyrene to-go food containers starting January 1, 2024. A portion of the fee is to be remitted back to the Town in the amount of 04-cent per bag.

Executive Session

Motion was made by Trustee Shelly Burnett and seconded by Mayor Pro Bob Muncy to go into executive session for a *Conference with the Town Attorney for local public body for the purpose of receiving legal advice on specific legal questions, under CRS Section 24-6-402 (4)(b) and to discuss the purchase of real property, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2)(b)*. Roll call: Ayes, Mayor declared motion passed.

Mayor Chris Trujillo stated it is November 9, 2022 the time is approximately 7:15 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, Trustee Brenton Williams, Mayor Pro Tem Bob Muncy, Trustee Shelly Burnett, Myself Chris Trujillo, Trustee Louie Velasquez, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Town Treasurer Ramona Dordan, Town Public Works Kevin Larimore. This is a executive session for the following purpose; *under CRS Section 24-6-402 (4)(b) and to discuss the purchase of real property, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2)(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 7:19 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 7:55 p.m., Mayor Chris Trujillo stated those present in executive session was Trustee Leigh Anne Lobato, Trustee Brenton Williams, Mayor Pro Tem Bob Muncy, Trustee Shelly Burnett, Myself Chris Trujillo, Trustee Louie Velasquez, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Town Treasurer Ramona Dordan, Town Public Works Kevin Larimore. 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.

With nothing further motion made Trustee Shelly Burnett and seconded by Mayor Pro tem Bob Muncy to adjourn.

Submitted this 14 day of December 2022