

**Regular Town Board Meeting
Town of Del Norte, Colorado
January 12, 2022**

The board of Trustees of the Town of Del Norte, Rio Grande County; State of Colorado, met in regular session on January 12, 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, Trustee Laura Anzalone, Mayor Pro tern Bob Muncy and Mayor Chris Trujillo, with Trustee Joe Archuleta absent. Mayor Trujillo declared a quorum present.

MINUTES:

Motion was made Trustee Laura Anzalone and seconded by Trustee Shelly Burnett to approve the December 8, 2021 minutes with amending that those who spoke under citizens comments their address be removed, Trustee Laura Anzalone also mentioned a comment made by Dennis Wetmore concerning the last month minutes they were not on the website so to include {the submission of the minutes on the website). Roll call: All ayes. Mayor declared motion carried.

CITIZEN'S COMMENTS:

Glynnis Williams asked if the Town website could be updated the calendar has events that are not related to Del Norte and the map is outdated. Trustee Leigh Anne Lobato recommended a work session with Becky who administers our website to discuss changes, Administrator Martinez will extend an invite to Becky to attend the work session after public hearing on January 24, 2022. Dennis Wetmore wanted clarification on what is the opening meeting law he was referring to the Special Board meeting on October 18, 2021; Attorney Farish stated he didn't know the exact title of the Colorado Revised Statute number but he thought it was title 24. Ben Billings stated that he would like to see the Town Board meetings more streamlined.

CONSENT AGENDA

Kevin Larimore Public works submitted his report along with Chief of Police Frank Archuleta. Motion was made by Mayor Pro tern Bob Muncy and seconded by Trustee Shelly Burnett to approve consent agenda.

Roll call: All ayes,

Mayor Trujillo declared motion carried

NEW BUSINESS:

Scott Stecken- RGC Special Event review for Rhythms on the Rio-Scott approached the Town Board and explained his event. Rhythms on the Rio have changed location from South Fork to Del Norte and will be across the bridge on private property owned by Kathy and Bob Willshau. This event has been going strong for fifteen years they plan on having approximately 2100 attendees. He knows the event is planned for the same weekend of Covered Wagons Days, and only hopes to enhance the event with more attendees. Most of the attendees come from outside the valley; his event budget is \$175k-\$200K, minus expenses he does give back to the community through music scholarships. The Town Board welcomed the event and is excited to see it here in Del Norte.

Mayah Dominquez-Request donation for Care Closet for DN Schools-Mayah mentioned to the Town Board that she is requesting monies for Care Closet, it's a program that gives out personnel hygiene products, she depends on donation to fund the Care Closet. Motion was made Trustee Shelly Burnett to give Care Closet \$250, motion seconded by Trustee Leigh Anne Lobato. Roll call: All yes, Mayor declared motion carried.

Del Norte Public Library-Request donation for bike rack-Sue William and Glynnis Williams presented the Town Board with estimates for the installation of bike rack for the library. Motion was made by Trustee Shelly Burnett to give the Del Norte Library half of the cost for the bike rack installation in the amount of \$1150, seconded by Trustee Leigh Anne Lobato. Roll call: All yes, Mayor declared motion carried.

William Myers-An agreement leasing Town's extra water credits-William presented the Town Board with a lease agreement for the Town excess water credits. Town Board tabled the request until the Town water attorneys could review the agreement.

Resolution 1-2022 Designated Appointments and Meeting Date and Times for 2022-Molion was made Trustee Leig Anne Lobato to adopt Resolution 1-2022, seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor declared motion carried, with Trustee Laura Anzalone announcing that she is not in support of appointing Town Attorney Eugene Farish.

RESOLUTION NO. 1-2022
DESIGNATION OF OFFICIAL STATUS FOR THE CALENDAR YEAR 2022
FOR THE TOWN OF DEL NORTE

WHEREAS, the provisions of CRS 31-4-304 imposes a duty on the Board of Trustees of statutory towns to make certain designations of official status for the calendar year 2022.

WHEREAS, Section 2-3-80 of the Del Norte Municipal Code reserves the right of appointment of certain municipal officials to the Town Board of Trustees; and

NOW THEREFORE, be It resolved by the Board of Trustees of the Town of Del Norte that the following official status is hereby designated for the Town of Del Norte for the Year 2022:

1. First Southwest Bank, Del Norte Bank, Community Banks of Colorado and ColoTrust, are hereby designated as the official depositories for the Town of Del Norte.
2. The Del Norte Prospector and/ or the Valley Courier are hereby designated as the official and legal newspaper for the Town of Del Norte.
3. The official posting for the Town of Del Norte are the front door of Del Norte Town Hall, and Del Norte Colorado website.
4. Wall, Smith and Bateman be and is hereby appointed as Auditors for the Town of Del Norte.
5. Eugene L. Farish is hereby appointed as Town Attorney for the Town of Del Norte
6. Appointment currently vacant Municipal Judge for the Town of Del Norte.
7. Bernadette Martinez is hereby appointed as Town Administrator for the Town of Del Norte.
8. Bernadette Martinez is hereby appointed as Town Clerk for the Town of Del Norte.
9. Ramona Dordan is hereby appointed as Town Treasurer for the Town of Del Norte.
10. Frank Archuleta is hereby appointed as Chief of Police for the Town of Del Norte.
11. Kevin Larimore is hereby appointed as Public Works Supervisor for the Town of Del Norte.
12. Bernadette Martinez is hereby appointed as Land Use Administrator for the Town of Del Norte.
13. Town Board meetings shall be held at Town Hall, 140 Spruce Street Del Norte, Colorado, on the second (2nd) Wednesday of each month at 6:00 pm, unless notice is otherwise provided. That the Town Board may hold such special or emergency meetings and adopt such publication procedures as the public interest may require. That notice shall be within 24 hours of any special or emergency meetings and shall be posted at the afore mentioned designations.

Introduced as a resolution at the regular meeting of the Board of Trustees of the Town of Del Norte, Colorado, on the 12th day of January, 2022. Passed and adopted, signed and approved this 12th day of January 2022.

Resolution 2-2022 Opposing the export of water-Motion was made and seconded to approve Resolution 2-2022. Motion was made by Trustee Shelly Burnett to adopt Resolution 2-2022, seconded by Trustee Leigh Anne Lobato. Roll call: All ayes, Mayor declared motion carried.

Resolution No. 2-2022

A RESOLUTION OPPOSING EXPORTATION OF WATER FROM THE RIO GRANDE BASIN

WHEREAS, The economic and cultural well- being of the citizens of Del Norte is tied to and dependent upon the strength of our surrounding agricultural community that gives Del Norte vitality; and .

WHEREAS, the exportation of water from the Rio Grande River to other basins is a direct threat to the prosperity of the Town of Del Norte recreational activities and surrounding areas of the Rio Grande County and of all its citizens; and

WHEREAS, the exportation of water from the Rio Grande basin and the aquifers there of impacts the sustainability of the water supply, including the sustainability of the confined aquifer from which the Town of Del Norte derives its water- supply; and

WHEREAS, the Board of Trustees for the Town of Del Norte has been made aware of a scheme for the exportation of water out of the Rio Grande basin, being promoted by an entity calling itself Renewable Water Resources, LLC.; and

WHEREAS the Board of Trustees for the Town of Del Norte believes the scheme to export water from the Rio Grande basin will harm the economic and cultural prosperity of its citizens;

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

Section 1: The Board of Trustees for the Town of Del Norte, Colorado opposes any attempt to export water from the Rio Grande basin to another basin.

Section 2: The Board of Trustees will monitor any schemes to export water out of the Rio Grande basin, in particular the Renewable Water Resources scheme referenced above; and identify appropriate junctures to oppose such export schemes, and coordination with other entities opposing such export schemes, such as the Rio Grande Water Conservation District.

Section 3: This resolution to be in full force and effect from and after its passage and approval.
PASSED AND ADOPTED, SIGNED AND APPROVED, THIS 12th DAY OF January 2022

Ordinance No. 741 Noxious Weeds and Maintenance of Vegetation- Ordinance was tabled until February board meeting for Town Board to review and make comments.

ATTORNEY REPORT

Resolution 3-2022-Appointing Interim municipal judge-Motion was made Trustee Leigh Anne Lobato and seconded by Mayor Pro Tem Bob Muncy to adopt Resolution 3-2022. Roll call: All ayes, Mayor declared motion carried. Work session is planned for after the Public Hearing to discuss municipal court.

RESOLUTION NO.3-2022 A RESOLUTION OF THE TOWN BOARD OF TRUSTEES APPOINTING INTERIM JUDGE FOR THE TOWN OF DEL NORTE

WHEREAS, Don Allee, municipal judge for the Town of Del Norte, recently passed; and

WHEREAS, It is necessary to appoint an interim judge for the Town of Del Norte; and

WHEREAS; the Honorable James McDonald, who is the present municipal judge for the City of Alamosa and Towns of South Fork and Crestone, has indicated his willingness to serve as interim judge for pending court dates.

NOW THEREFORE be it hereby resolved by the Board of Trustees of the Town of Del Norte that Hon. James McDonald be and is appointed as municipal court judge for the Town of Del Norte Municipal Court sessions on January 13, 2022, and January 27, 2022, and that he shall be paid standard rates in accordance with the other San Luis Valley municipalities which he serves.

DONE and SIGNED this 12th day of January 2022.

Trustee Laura Anzalone brought up a draft letter that she would like to put in the water bills thanking everyone that participated in the "Tour lights/Festival Lights". Motion was made Trustee Laura Anzalone and seconded by Trustee Shelly Burnett to put the draft letter in water bills. Roll call: All ayes, Mayor declared motion carried. With some discussion it was decided to add the letter to the Community Connection newsletter since that will be going out in February.

EXECUTIVE SESSION:

Motion was made by Trustee Shelly Burnett and seconded by Trustee Leigh Anne Lobato 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.*

Roll call: Ayes, Mayor declared motion passed. Trustee Laura Anzalone excused herself from the meeting. Mayor Chris Trujillo stated it is January 12, 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, Myself Chris Trujillo, Trustee Louie Velasquez, Town Attorney Gene Farish and Town Administrator Bernadette Martinez. This is an 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.

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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 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 7:44 p.m., Mayor Chris Trujillo stated those present in executive session was Trustee Louie Velasquez, Trustee Shelly Burnett, Trustee Leigh Anne Lobato, Mayor Pro tem Bob Muncy and

Mayor Chris Trujillo, along with Town Administrator/Clerk Bernadette Martinez 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.

With nothing further business on the agenda, motion was made and seconded to adjourn the meeting.
Submitted this 9th day of February 2022.

