

**Regular Town Board Meeting
Town of Del Norte, Colorado
June 8, 2022**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on June 8, 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 Brenton Williams, with Trustee Joe Archuleta and Mayor Chris Trujillo absent. Mayor Pro Tern Bob Muncy declared a quorum present.

MINUTES:

Motion was made Trustee Leigh Anne Lobato and seconded by Trustee Louie Velasquez to approve the May 11, 2022. Roll call: All ayes. Mayor Pro tern declared motion carried.

CITIZEN'S COMMENTS

Rick-APC Construction- approached the Town Board and stated that he would like to know if they would be willing to lower the rate of bulk water, he has been getting approximately 10K of water a day. Rick also mentioned this will continue through the summer. The Town Board stated they would take this under advisement and get back to him. The Town's bulk rate for water is .05/cents per gallon. . I

CONSENT AGENDA

Kevin mentioned to the Town board that he did pick up the paint for Chamber to paint D Mountain and the cost was several hundred dollars more than when we purchased it the last time. I went from \$600 to \$2500, this is a better paint and should last longer. Since it was not budgeted he would need a motion to pay the invoice, motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez. Roll call: all yes, Mayor declared motion carried. Chief Archuleta mentioned that the speed radar signs are controlling the speed in Town'. Motion was made by Trustee Shelly Burnett to approve consent agenda, seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor Pro Muncy declared motion carried:

NEW BUINSESS

Sam Scavo-Co State Forester- Sam discuss the importance of educating property owners on how to protect personal property from a wildfire. He mentioned with the current fire that the City Monte Vista's had just been through, if property owners would clean up any excess brush around homes that would be helpful, since excess brush is fuel once a fire starts. He also mentioned that he could work with the Board on doing a wild fire risk assessment for the Town. Town Board thanked Sam for the information.

Sue Bucknum- Resident of the Ninth Street Project- Sue approached the Town Board and stated that she was not happy to see survey pins so close to her home. She did not want a road next to her bedroom window and wanted to know if the street could be moved to the south of her property. Kevin Larimore, Public Works addressed the crowd in the meeting room and stated that with current news that Xcel is going to come in and relocate the electrical poles to south, this is going to elevate some of the issues with setbacks. Kevin mentioned he knows it looks like the road will be up against some homes, but it will not, with the greenbelt setback, and curb and gutter the most it will be is approximately eight feet. The homes in that area are not encroaching on Town property, just fences, bushes and some trees. He stated that we are hoping that we can work around the tree, if not they will come down, and hope to replant them somewhere else. With more discussion on the proposed street improvement the Town board wanted to reiterate that no home is encroaching on Town property, and they will keep the property owners informed as we progress on this project.

Special Events Permit-Celebration of Life- R. Black waive open container- Kevin Larimore spoke on behalf of the family and stated they would like to hold this private celebration in the park and would like open container to be waived. Motion was made by Trustee Shelly Burnett to approve the special events permit and seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor Pro-tern declared motion carried.

Special Events Permit-Velasquez Family reunion- Velasquez's family has requested that they be allowed to close Spruce Street, between Second and First for a large family reunion, they would like to use both parks, this would help with the safety of crossing to use both parks for a bbq and family using the horseshoe and volleyball pit. They are also requesting to waive open container in the parks for the event. With some discussion motion was made by Trustee Shelly Burnett and seconded by Trustee Brenton Williams to approve the special events permit. Roll call: All ayes, with Trustee Louie Velasquez, abstaining. Mayor Pro tern declared motion carried. Town board asked that more discussion on open container in the parks be on the agenda for July's board meeting.

ATTORNEY REPORT

Set date for Board training-Date set for August 19,2022 from 10am- 2:00 p.m. at Town Hall, Attorney Farish he stated that along with Town Board members he wanted all department heads to attend.

COMMITTEE UPDATES/OTHER BUSINESS

Chamber Update-Will mentioned that Oktoberfest is set for September 9, 2022 he will get the Special Events permit submitted. He presented the Town Board with copies of the new Del Norte magazine funding was made through Tourism dollars, copies of the magazine are available at all Del Norte business. Very impressive magazine showcasing Del Norte.

RG County Land Use Application-Boese Minor Subdivision- Town Administrator Martinez mentioned that Rio Grande County had submitted a land use application for them to review or make comments. The property is located in County and the applicant is requesting minor subdivision. Town Board has no concerns or comments on minor subdivision for Verlyn Boese.

Del Norte Library -will be holding its book walk celebration on June 17, 2022 at 1:00 p.m. at the north park.

Executive Session

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Brenton Williams to go into executive session with 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, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2) for the aid the Del Norte Town Shop, Excess Town water credits, and other property interest. Roll call All ayes, Mayor Pro-tern declared motion carried. Mayor Pro tern Bob Muncy stated it is June 8, 2022 the time is approximately 7:50 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 at different times, Trustee Leigh Anne Lobato, Trustee Shelly Burnett, Myself-Bob Muncy, Mayor Protem, Trustee Louie Velasquez, Town Attorney Gene Farish, Town Administrator Bernadette Martinez,- Kevin Larimore, Public Works, Frank Archuleta and Chief of Police and on zoom for water credits is Town Attorney Megan Gutwein. For the purpose of receiving legal advice on specific legal questions, under CRS Section 24-6-402 (4)(b) and to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2) for the old the Del Norte Town Shop, Excess Town water credits, and other property interest 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 was 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 7:52 p.m. Executive session took place, until motion was made and carried to exit executive session. Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to come out of executive session at approximately 8:35 p.m. Mayor Pro tern Muncy stated those present in executive session was himself, Trustee Louie Velasquez, Trustee Shelly Burnett, Trustee Leigh Anne Lobato, along with Town Administrator Bernadette Martinez, and Town Attorney Eugene Farish, and at different times Megan Gutwein, Town Water Attorney, Kevin Larimore Public Works, and Chief of Police Frank Archuleta. For the record, if any person who participated in the executive session believes that any substantial discussion of a matter not included in the motion to enter executive session occurred during executive session, or that any improper action occurred during executive session in violation of the Open meeting law, I would ask that you state your concerns for the record. Hearing none the next item is action of the results of the executive session. Motion was made by Trustee Shelly Burnett and seconded by Trustee Brenton Williams to approve the agreements with Sustainable Water Augmentation Group for \$90k for four years with the first 10 ac ft of water with first right of refusal, and approve the agreement with Subdistrict #2 at \$250 acre feet excess water credits. Roll call: All ayes, with Trustee Lobato undecided. Mayor Pro tern declared motion carried.

Administrator Martinez did want to let the Town Board that Angie Krall and John Evaskovich at 750 Cherry Street would like to fill in the ditch that crosses their property. In 2018, the Town Board gave them permission to culvert the ditch. With some discussion motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Brenton Williams to allow the ditch to be filled in. Roll call: All ayes, Mayor Pro tern declared motion carried.

AJOURNMENT: Motion was made and seconded to adjourn. Submitted

this 13 day of July 2022