

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

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on March 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 tern Bob Muncy. Trustee Joe Archuleta, Trustee Laura Anzalone and Mayor Chris Trujillo. Mayor Trujillo declared a quorum present.

MINUTES:

Motion was made Trustee Louie Velasquez and seconded by Trustee Joe Archuleta to approve the February 9, 2022 Town Board meeting. Roll call: All ayes. Mayor declared motion carried."

CITIZEN'S COMMENTS:

Mettje Swift approached the Town Board and stated that she has an invoice for the banners that were used in the park for the music in park, and it had not been paid. The invoice was for \$330.00, it was dated back in October 2021. Town Treasurer Ramona Jordan stated she was waiting for invoice before she paid it. She now has an invoice and it will be paid. Mellje also mentioned that she keeps getting an invoice from the Town for a business license, and stated that she doesn't pay retail. The business license is \$25/year, Mettje has not paid it for several years.

CONSENT AGENDA

Chief Archuleta stated that the radar signs are in and he will be getting with Kevin and CDOT to see where they can be mounted. Kevin mentioned that Nick Marcott has done the preliminary discharge permit for CDPHE. Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to approve consent agenda. Roll call: All ayes, Mayor Trujillo declared motion earned

UNFINISHED BUSINESS:

Set work session for excess water credits- is set up for March 24, 2022 at 5:00 p.m..

NEW BUSINESS:

Special Events Permit-Mercado Del Norte Farmers Market- Wes O'Rourke was present and presented the Town Board with his summer special event permits for the Farmers Market; the market **will** be the same as last year on the Grand and Spruce Street With some discussion, motion was made by Trustee Shelly Burnett to approve the special events permit with the stipulation that they consult with the business owners in the area, and bring in proof of insurance naming the Town as additional insured. Motion was seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor declared motion passed.

CF Altitude, LLC- Alta#5504 -Modification of premises-Motion was made by Trustee Leigh Anne Lobato to approve the modification of premises for Alta, seconded by Trustee Joe Archuleta. Roll call: All ayes, Mayor declared motion carried.

Resolution 3-2022-Canceling the 2022 Election and declaring candidate elected-Motion was made by Trustee Shelly Burnett, and seconded by Trustee Joe Archuleta. Roll call: All ayes, Mayor declared motion carried.

RESOLUTION 4-2022

A RESOLUTION CANCELING THE MUNICIPAL ELECTION AND

DECLARING THE CANDIDATES ELECTED

WHEREAS, it appears to the Board of Trustees of the Town of Del Norte, Colorado, that there are no more candidates for the Board of Trustees of said Town than there are vacant seats to be filled; and

WHEREAS, pursuant to law, an election for these vacant seats will be

unnecessary, ij no write-in candidates file an affidavit of intent prior to nineteen days before the day of the election; and

WHEREAS, according to Town of Del Norte Ordinance No. 620 the Board of Trustees of the Town of Del Norte authorizes the Town Clerk to cancel the April 5, 2022 election if there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent.

BE If **HEREBY RESOLVED**, by the Board of Trustees that provided no affidavit of intent is timely filed by an eligible write-in

candidate, those candidates that filed nomination petitions are hereby declared elected to the Board of Trustees for the following terms and positions at the April Regular Town Trustee meeting:

Three (4) year terms for Trustee:

Brenton Williams, Leigh Anne Lobato, George Muncy

FURTHER, the election scheduled for the 5th day of April, 2022, shall be canceled, as of March 17, 2022, nineteen days prior to the scheduled April 5, 2022, election.

DONE and SIGNED this 9th day of March, 2022.

Ordinance No. 742-Annexation of Territory of USDA Forest Service, Rio Grande National Forest and Robert and Karen Willis Property- Toe plats have been submitted and signed. Motion was made Mayor Pro tem Bob Muncy, and seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor declared motion carried.

Wall, Smith and Bateman for Town 2021 audit-Motion was made by Trustee Shelly Burnett to accept the letter of engagement with WSB once clarification on the cost is determined. Seconded by Trustee Leigh Anne Lobato. Roll call: All ayes, Mayor declared motion carried.

ORDINANCE NO. 742

AN ORDINANCE OF THE TOWN BOARD OF TRUSTEES OF DEL NORTE ANNEXING THE PROPERTIES KNOWN AS THE U.S. FOREST SERVICE DEPARTMENT OF AGRICULTURE, RIO GRANDE NATIONAL FOREST & WILLIS ANNEXATION TO THE TOWN OF DEL NORTE, COLORADO

WHEREAS, Resolution 7-2021, finding substantial compliance and initiating annexation Proceedings for the annexation of two tracts of land to the Town of Del Norte, as defined there in and described below, was previously adopted by the Town Board of Trustees on December 8, 2021; and ,

WHEREAS, the Town Board of Trustees has determined that it is in the best interests of the Town to annex both tracts (the "Properties") to the Town. NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF DEL NORTE as follows:

Section 1. That the Town Board of Trustees here by makes and adopts the determinations and findings contained in the recitals set forth above and hereafter. '

Section 2. That the Town Board of Trustees here by incorporates the findings of Resolution 7-2021 and further finds that it is in the best interests of the Town to annex the Properties to the Town.

Section 3. That the Properties, more particularly described in Exhibits A1 & A2 and Exhibits B1 & B2, respectively, attached hereto are incorporated herein by reference.

Section 4. That it is desirable and necessary that such tracts be annexed into the Town of Del Norte. Section 5. That the requirements of C.R.S. 31-12-104 and C.R.S. 31-12-105 exist and have been met.

Section 6. That the signers of the petition for annexation comprise 100% of the landowners of the tracts to be annexed, excluding public streets and alleys, and any other land owned by the Town of Del Norte. .

Section 7. That the signers of the annexation petition have requested that the Town of Del Norte approve the annexation of the tracts to be annexed, containing the mailing address of each signer, and containing the legal description of the land to be annexed.

Section 8. That the annexation maps, Exhibits A1 & A2 and Exhibits B1 & B2, contain the legal description of the boundaries of the tracts proposed to be annexed and all necessary information required by the Colorado Municipal Annexation Act of 1965.

Section 9. That no other municipality abuts the tracts proposed to be annexed.

Section 10. That notice of annexation proceedings was properly given by the Town, pursuant to the Resolution Finding Substantial Compliance, and Public Hearing' on the petition was held after publication, as required by law, on January 24, 2022.

Section 11. That the Board of Trustees further finds, determines and declares that the annexation of the territories described and referred to above has now been accomplished, effected and completed and said territory has become and now is a portion of the Town of Del Norte, Colorado and included within its corporate limits, and the boundaries of said Town are hereby duly changed to include all of said territory.

Section 12. That, in annexing the properties to the Town, the Town does not assume any obligation respecting the construction . of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the properties hereby annexed except as may be provided by ordinances of the Town.

Section 13. The Town Board of Trustees has considered the recommendation of the Town Planning Commission and hereby zones both the above-described properties being annexed as commercial highway (CH), as compatible with adjacent zones.

AND

That within thirty (30) days after the effective date of this ordinance, the Town Clerk is hereby authorized and directed to: Certify three copies of the annexation ordinance and maps of the area annexed containing a legal description of such area with the Rio Grande County Clerk and Recorder.

DONE and SIGNED this 9th day of March, 2022.

ATTORNEY REPORT

Statement of Opposition concerning water rights- Attorney Farish mentioned that a statement of opposition was submitted to the Courts, which, will inform the Town of all proceedings as this moves through water court.

Municipal Court Discussion/Work session- Work session is set for March 29, 2022 at 5:00 p.m. at Town Hall.

COMMITTEE UPDATES/OTHER BUSINESS

Chamber Update- Will was present and stated that the school will be doing Town clean up on April 21, 2022 and Will need more safety vest and trash bags. The rotary club will be cooking hot dogs for kids on that day.

Kaboom! Community Playspace-Administrator Martinez mentioned that she was contacted if we wanted to do a community playspace. But it was brought to her attention that RG County commissioners were going to move forward on this, and she will be contacting the Commissioners that the Town would like to collaborate to make this happen.

Wall Street Journal article-Administrator Martinez had put in the Town board packet article in Wall Street Journal showcasing Del Norte. Martha Williams spoke to the Town Board and stated this was good for the Town but wanted the Town to know it brings people to our area that may or may not be good to the environment, she was speaking about the visitors to the forest, and how we need to protect what we have.

Trustee Laura Anzalone mentioned to Kevin that Tree Board was asking about starting a small nursery, it would be

small trees that would be planted in buckets.

Town Treasurer Ramona Dordan mentioned that she would like to discuss purchase of truck for police department; she is not comfortable issuing a check for a truck that could take a several months. The dealer is demanding that we send a check for the full amount even though some of the add-on for the truck will take several months, normally you pay in full for a vehicle when you pick it up, knowing that its fit to drive, not pay now, and pick up later. Town Board agreed the check will be issued when the truck is ready to pick up.

Park Restroom Trustee Laura Anzalone mentioned if the Town wanted the park bathroom painted like the one in the north park, she has someone that would be willing to donate her time. It would somewhat like the bathroom in the north park. She will have Chris get in touch with us on the idea she has for the restroom.

AJOURNMENT

Motion was made by Trustee Shelly Burnett and seconded by Trustee Joe Archuleta to adjourn. Submitted this 13th day of April 2022