

Regular Town Board Meeting
Town of Del Norte, Colorado
May 11, 2022

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on May 11, 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, Mayor Chris Trujillo, with Trustee Brenton Williams and Trustee Joe Archuleta. Mayor Trujillo declared a quorum present

MINUTES:

Motion was made Trustee Shelly Burnett and seconded by Trustee Leigh Anne Lobato to approve the April 13, 2022. Roll call: All ayes. Mayor declared motion carried.

CITIZEN'S COMMENTS: none

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. It 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 Joe Archuleta to approve consent agenda, seconded by Trustee Leigh Anne Lobato. Roll call: All ayes, Mayor Trujillo declared motion carried.

UNFINISHED BUSINESS:

Ord. No. 741- Prohibiting noxious weeds and regulating the growth and cultivation of vegetation- With much discussion it was decided that the Town should follow the State and County regulations and not adopt Ordinance No. 741. Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to not adopt Ordinance No. 741. Roll call: All ayes, with Trustee Leigh Anne Lobato; hay, Mayor Trujillo declared motion carried.

NEW BUINSESS

Wall, Smith and Bateman, Inc. - Town 2021 Audit report-Kimberly Temple of Wall, Smith and Bateman gave the Town Board the 2021 audit report. With some discussion, motion was made by Trustee Shelly Burnett to approve 2021 Town audit report, seconded by Trustee Joe Archuleta. Roll call: All ayes, Mayor Trujillo declared motion carried

Scott Stecken-Update on Rhythm on the Rio- Scott mentioned to the Town Board that 2/3 of the tickets for the event has been sold. They are planning on selling day tickets for those who don't want to camp but attend the event for just a day. He is very excited and the feedback he is getting has been good.

Patti Kelley-Fundraising for the Sanderson stagecoach cabin-Patti Kelley mentioned that they would like to start a fund raiser for the Sanderson Stage building in the park, it needs a new roof and walls need to be reinforced. The Del Norte library has agreed to accept the checks for donations since they are 501 3c. Town Board thanked Patti for her efforts in getting this started and will consider looking at matching some of the funds.

Terry and Sharon Haynie-Protest COOT Highway access closure for Streetscape project-Sharon and Terry made it known to the Town they are not happy with the closing off their access off highway 160, to their property that they lease. They mentioned the other access off of Oak Street needs curb gutter and a wider driveway access into the business, because of the concrete is crumbling and in need of repair. With much discussion, the Town Board stated to the Haynie's that it is CDOT that has taken the approach that it is a safety issue having that access so close to the stop lights, so they would have to appeal to CDOT.

Special Events Permit-Covered Wagon Days-Motion was made by Trustee Shelly Burnett to approve the special events permit for Covered wagon day, seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor declared motion carried. **Special Events**

Permit-Rotary Summer picnic Waive open container in the park for private event-Mike Hurst mentioned that Rotary would like to hold their annual dinner meeting in the park, and would like to be able to have a beer or glass of wine. They are requesting that open container be waived for the couple of hours they will be there. With some discussion, motion was made by Trustee Bob Muncy to approve the special events permit to waive open container and insurance in the park for Rotary, motion was seconded by Trustee Shelly Burnett. Roll call: All ayes, with Trustee Brenton Williams, abstained, Mayor declared motion carried.

ATTORNEY REPORT

Attorney Farish mentioned that he would like to set up board training for July.

COMMITTEE UPDATES/OTHER BUSINESS

Chamber Update- Will stated to the Town Board that the school and Knights of Columbus have donated approximately \$1100 to help with expense of the painting of D mountain. Oktoberfest is scheduled for September 16th.

Del Norte 150th Birthday-August 26, 2022-Town Administrator Martinez gave the Town an update, they are still working on the details, but she has contacted Vernon and Maxine Mann to cut the cake and they are honored. Also, since most of the food trucks have other commitments that day, the Town will be doing the food.

Willis Subdivision-Set public hearing date is set for June 8, 2022 at 5:30 p.m.

EXECUTIVE SESSION:

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett 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 old the Del Norte Town Shop, Excess Town water credits, and other property interest, and for the purpose of receiving legal advice on pending litigation of Trustee Laura Anzalone under C.R.S. 24-6-402(4)(b). Roll call: All ayes, Mayor declared motion carried.

Mayor Chris Trujillo stated it is *May 11, 2022* the time is approximately 7:45 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, Mayor Pro tern Bob Muncy, Trustee Shelly Burnett, Myself, Chris Trujillo, 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, and by phone Town Attorney for Laura Anzalone litigation case Nicholas Poppe. 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 and for the purpose of receiving legal advice on pending litigation of Trustee Laura Anzalone under C.R.S. 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 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 7:46 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 Joe Archuleta to come out of executive session at approximately 8:41 p.m. Mayor Trujillo stated those present in executive session was himself, Trustee Louie Velasquez, Trustee Shelly Burnett, Trustee Joe Archuleta, Trustee Leigh Anne Lobato, along with Town Administrator Bernadette Martinez, and Town Attorney Eugene Farish, and at different times Megan Gutwein, Town Water Attorney. Nicholas Poppe, Town 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 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. Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett to get the Mann property appraised. Roll call: All *ayes*, Mayor declared motion carried.

With nothing further on the agenda Motion was made and seconded to adjourn. Submitted

this 8th day of June 2022