

Del Norte Regular Town Board Meeting

July 12, 2023

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on July 12, 2023, in the Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 5:00 p.m. There being present at the **CALL OF THE ROLL** the following persons:

ROLL CALL:

Town Board present: Trustee Leigh Anne Lobato, Mayor Pro tem Bob Muncy, Trustee Marty Asplin, Trustee Louie Velasquez, Trustee Brenton Williams, and Mayor Chris Trujillo, with Trustee Shelly Burnett absent. Mayor Trujillo declared a quorum present.

MINUTES:

Motion was made by Mayor Pro tem Bob Muncy and seconded by Trustee Marty Asplin to approve the June 14, 2023, Regular Board meeting. Roll call: All ayes. Mayor Trujillo declared the motion carried.

Trustee Shelly Burnett entered the meeting.

CITIZENS COMMENTS-Paul Fennell-approached the Town Board and wanted to mention that he is happy to see that the Town Board will be addressing the serving liquor on sidewalk.

CONSENT AGENDA

Chief Archuleta stated that his department is doing well with the new officers, and he should have the new police car by the end of this month. He will get with REC on getting a new pole installed to move the fire siren. Kevin Larimore Public works mentioned his department is spraying mosquitoes and wanted to let the Board that Element Engineering has requested a meeting to review WWTP PER scheduled for July 27, 2023, at 9:00 a.m. Also, he is still working on time to get the doors installed at the storage units. The motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to approve the consent agenda. Roll call: All ayes, Mayor Trujillo declared motion carried.

UNFINISHED BUSINESS:

Rio Grande Public Health- National Fitness Campaign -Fitness Court. Dr. Kolawole mentioned that he did submit the proposal for the grant and was awarded \$50k for the fitness court. He did submit a resolution for the Town Board to review and act on if they are willing to commit to help fund the project. Dr. Kolawole stated that committed to Rio Grande County \$105k, Rio Grande Hospital \$25k and the Towns \$40k along with property commitment and maintenance this project can move forward for installation in the spring of 2024. With some discussion the Town Board stated the resolution that he submitted will have to be revised and the Town attorney can make those changes and they can move forward. Motion was made by Trustee Marty Asplin to approve the funding and the resolution with the National Fitness Campaign and Rio Grande County for the fitness court, seconded by Trustee Louie Velasquez. Roll call: All yes, Mayor declared motion carried. Funding for the fitness court will come out of the arps monies.

NEW BUSINESS

Wall, Smith and Bateman, Town Auditors –Town 2022 Audit- Jessica Bogner presented the Town Board the 2022 Audit report and gave short review of the financial statements of the Town's governmental activities, they encountered no significant difficulties in dealing with management in performing and completing the audit. She stated that overall, the Town's audit was very good audit. With some discussion, a motion was made by Trustee Marty Asplin to approve 2022 Town audit report, seconded by Mayor-Pro tem Bob Muncy. Roll call: All ayes, Mayor Trujillo declared motion carried.

Craig Rauwolf-Veterans Suicide Program-Craig approached the Town Board to give them an update of the new program to help our veterans who are dealing with depression and to give them resources needed, some of these benefits can be done locally through SLV Health and Valley Health. The Town Board thanked Craig for the information.

Scott Steckin- Rhythm of the Rio 2023-Scott gave the Town Board an update that this year's Rio is looking at the same number of attendees as last year, they have sold 1700 tickets. The traffic plan has been submitted to CDOT and Rio Grande Sheriff office and was approved. The gates will open at 9:00 a.m. on Thursday, on August the 3rd.

Special Event for Alcohol- Covered Wagon Days-August 5, 2023 – North Park – Nineah Martinez, Covered Wagon Day president submitted her special events application for alcohol. She has if she could amend her special events permit application from last month to extend the hours from 4:00 p.m. to 8:00 p.m., since Carthers Roadhouse will not be having a street dance, she would like to use the extended hours to have music in the park, and change her special events application for alcohol to also reflect the change from 4:00pm to 8:00 p.m. She will have the beer garden fenced off and will be checking ID's. Motion was made by Trustee Shelly Burnett to amend the Special Events application submitted last month to extend the hours and approve the Covered Wagons Days special event permit for alcohol to also extend to 8:00 p.m, motion was seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor declared motion carried.

COMMITTEE/OTHER BUSINESS:

Chamber Update- none.

Del Norte Fire District sales tax proposal- Town Administrator Martinez mentioned to the Town Board that she had a visit from Terry Haynie, with the Del Norte Fire District board asking if the Town would consider a joint collaboration in putting a sales tax initiative on the November 2024 general election. He asked how much the Town brings in on sales taxes and if a one cent increase if passed could be divided by Town and the District. I

mentioned to Terry that I couldn't make the decision it's a Board decision and he understood that, but if the Town could help them out, this was one of the options that the District had discussed to bring in monies, that they might consider a mill levy increase also. I did mention to Terry that I couldn't speak for the Board but if the Town decided to go the electors it would probably be solely for the Town needs. After some discussion the Town asked that I send a letter to the Fire District, but this is not the time to ask the electors for any tax increase.

Town of Del Norte and Ice Hunters service and utility agreement-With some discussion, motion was made by Trustee Marty Asplin and seconded by Trustee Louie Velasquez to approve the agreements with Ice Hunters. Roll call: All yes, Mayor Trujillo declared motion carried.

La Mesa Ranchettes correspondence-Town Administrator Martinez mentioned she has not heard back from the residents of La Mesa that they just sent this letter from the Mann's that they are giving two more years of water service.

ATTORNEY REPORT

Draft Ordinance on allowing retail establishments on Town sidewalks for food service – Attorney Farish mentioned that we had started this a couple of years ago and was tabled. It was a consensus of the Board to schedule a work session to sidewalk services. Work session is scheduled for July 25, 2023, at 2:00 p.m.

Resolution 4-2023 Establishing procedures for Takeout and Delivery of Alcoholic beverages – With some discussion motion was made by Trustee Shelly Burnett and seconded by Trustee Brenton Williams to approve Resolution 4-2023. Roll call: All ayes, Mayor declared motion carried.

EXECUTIVE SESSION:

The motion was made by Trustee Shelly Burnett and seconded by Mayor Pro-tem Bob Muncy to go into executive session for a conference with Town and Water Attorneys for the purpose of receiving legal advice on Town water credit leases under C.R.S. 24-6-402(4)(b). Roll call: All ayes, Mayor declared motion carried. Mayor Trujillo stated it is July 12, 2023, the time is approximately 6:43 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 Brenton Williams, Trustee Shelly Burnett, Mayor Pro tem Bob Muncy, My-self Mayor Chris Trujillo, Trustee Marty Asplin, Trustee Louie Velasquez, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Kevin Larimore, Public Works, Treasurer Ramona Dordan and on zoom for water credits is Town Attorney Megan Gutwein and Peter Nichols. For the purpose of receiving legal advice on specific legal questions, under CRS Section 24-6-402 (4)(b) on Town water credit leases. 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 an 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 6:45 p.m. Executive session took place, until motion was made and carried to exit executive session. Motion was made by Trustee Marty Asplin and seconded by Brenton Williams to come out of executive session at approximately 8:05 p.m. Mayor Pro Bob Muncy stated those present in executive session was himself, Trustee Louie Velasquez, Trustee Brenton Williams, Trustee Marty Asplin, Trustee Leigh Anne Lobato, along with Town Administrator Bernadette Martinez, and Town Attorney Eugene Farish, Megan Gutwein and Peter Nichols, Town Water Attorney. Kevin Larimore Public Works and Town Treasurer Ramona Dordan. For the record, if any person who participated in the executive session believes that any substantial discussion of an 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 Marty Asplin to set a Special Board meeting for July 17, 2023, at 3:30 p.m. and seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor Pro tem declared motion carried.

With nothing further before the Town Board meeting was adjourned.

Submitted on this 9th day of August 2023.