

Del Norte Regular Town Board Meeting

March 8, 2023

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on March 8, 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: Mayor Pro tem Bob Muncy, Trustee Leigh Anne Lobato, Trustee Shelly Burnett, Trustee Marty Asplin, Trustee Louie Velasquez and with Trustee Brenton Williams and Mayor Chris Trujillo absent. Mayor Pro tem Muncy declared a quorum present.

MINUTES:

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Louie Velasquez to approve the February 8, 2023 Regular Board meeting. Roll call: All ayes. Mayor Pro Tem Muncy declared motion carried.

CONSENT AGENDA

Kevin mentioned he had nothing new to report to the Board. COP Archuleta stated that he has submitted three grants to JAG, he is asking for Police office hand guns, e-force court modules, and taser replacements. Element Engineering addressed the Board last month and submitted the PER on our lagoons. With some discussion motion was made Trustee Shelly Burnett and seconded by Trustee Louie Velasquez to accept the PER submitted by Element Engineering. Roll call: All yes, Mayor Protem declared motion carried. Trustee Burnett and Trustee Lobato asked for clarification on some checks that were issued. Motion was made by Trustee Brenton Williams and seconded by Trustee Louie Velasquez to approve consent agenda. Roll call: All ayes, Mayor Pro tem declared motion carried.

Mayor Chris Trujillo entered the meeting.

NEW BUSINESS

Ashley Valdez and Tim Butler -Xcel Energy- gave the Town Board a presentation on upgrading the trunk lines through Town they will start on at the sustentation on Third Street and work their way East. This was a project that was supposed to start three years ago but engineering and Covid put them back a few years.

Karla Shiver-Rio Grande Sub District 2-renewal of water credit agreement- Karla Shiver was present and introduced Amber Pacheco and Angelo Bellah. Amber approached the Town Board and requested from the Town Board that they would like to renew the lease with the Town, with the same terms and conditions as last year. Town Board tabled the request until after executive session. Amber thanked the Board and looks forward to hearing from them.

Mercado Del Norte-Summer Farmers Market- Wes O'Rourke approached the Town Board and would like to request this year that the farmers market be moved to Town park and have it coincide with Thursday's music in the park. They would still submit a special events permit and provide insurance as they did in the past. Town Board seemed agreeable to the idea they will submit their applications next month.

Edna Sanchez- 32 Cedar Street-Special Event Permit-Street Closure Graduation Party- Edna was present and is requesting the end of Cedar Street be closed off for a family graduation party, she has requested it in the past, and she knows that she will have to control the area. Motion was made by Trustee Shelly Burnett and seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor declared motion carried.

Kim Rue-Special Events Permit-Graduation Party in Town North Park-Waiver of open container/insurance-Tabled -Kim was not present.

Kehr & Company, LLC -Colorado Grille & Tap House -Liquor Renewal- Motion was made Trustee Leigh Anne Lobato to approve the liquor renewal, seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor declared motion carried.

Three Barrel Brewing, LLC-New Brew Pub Liquor License- Accept and Set Public Hearing-Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett to accept Three Barrel Brewing Company, LLC for a new pub license and set public hearing for April 12, 2023 at 4:30 p.m. Roll call: All ayes, Mayor declared motion carried.

Pay & Save, Inc-Wild West Spirituous Liquors-Change of Location -Accept and Set Public Hearing- Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Brenton Williams, to accept the Change of Location application, and set public hearing for April 12, 2023 at 4:45 p.m. Roll call: All ayes, Mayor declared motion carried.

COMMITTEE/OTHER BUSINESS:

Chamber Update- Will Kreutzer stated that tomorrow night will be Honky Tonk mixer from 6-9p.m. at 780 Grand Avenue promoting a new business in Town and requesting sign up of Del Norte Chamber membership.

Arbor Day Proclamation/Tree City Certification-Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Brenton Williams to approve the Arbor Day proclamation for April 28, 2023 and certify the Town Tree City USA for 2022. Roll call: All yes, Mayor declared motion carried.

DMPR- Grant from MLB Foundation-Grace Young was present and updated the Town that on the stipulation of MLB grant that was submitted, they are requiring that a SAM (Sexual Abuse Molestation) policy be implemented by the Town. With discussion Town Board suggested that since DMPR district is applying for grant and will be responsible for administering the grant that DMPR be responsible for purchasing the policy. The Town doesn't have control of who uses the baseball field park, so they shouldn't have to purchase the policy. Motion was made by Trustee Leigh Anne Lobato that DMPR purchase the SAM policy as the guidelines of the MLB grant stipulates, seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor declared motion carried.

Rio Grande County Special Events Permit review/or comments-Rhythms on the Rio-Town Board welcomed the event for another year.

ATTORNEY REPORT

Attorney Farish mentioned that under his report the policy review his office is working on, and would like to table until next month.

Executive Session

Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Shelly Burnett to go into executive session for a *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 of real property, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2)(b). And for the purpose of receiving legal advice on pending court litigation of Laura Anzalone C.R.S. 24-6-402(4) (b).* Roll call; All ayes, Mayor declared motion passed. Mayor Chris Trujillo stated it is March 8, 2023 the time is approximately 7:04 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, Trustee Brenton Williams, Mayor Pro Tem Bob Muncy, Trustee Shelly Burnett, Myself Chris Trujillo, Trustee Louie Velasquez, Trustee Marty Asplin, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Treasurer Ramona Dordan, Megan Christensen, Town Water Attorney, Kevin Larimore, Public Works, for the first part of executive session. This is a executive session for the following purpose; *under CRS Section 24-6-402 (4)(b) and to discuss the purchase of real property, acquisition, lease, transfer, or sale of any real, personal, or other property interest under CRS Section 24-6-402 (4)(2)(b). And for the purpose of receiving legal advice on pending court litigation of Laura Anzalone 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 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. Executive Session took place, until motion was made and carried to exit the executive session. Motion was made by Leigh Anne Lobato and seconded by Brenton Williams to come out of executive session at approximately 8:07 p.m., Mayor Chris Trujillo stated those present in executive session was Trustee Leigh Anne Lobato, Trustee Brenton Williams, Mayor Pro Tem Bob Muncy, Trustee Shelly Burnett, Myself Chris Trujillo, Trustee Louie Velasquez, Trustee Marty Asplin, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Town Treasurer Ramona Dordan and Nicholas Poppe, Town Attorney for the second part of executive session. 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 motion made to adjourn.

Submitted this 12th day of April 2023.