

TOWN OF DEL NORTE
February 14, 2024, Town Board Minutes

Town Council Chambers – 140 Spruce Street

The Board of Trustees for the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on February 14, 2024, in the Town Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 5:00 p.m. There being present at the CALL OF ROLL the following:

ROLL CALL

TRUSTEE LEIGH ANNE LOBATO, TRUSTEE BRENTON WILLIAMS, MAYOR PRO TEM BOB MUNCY, TRUSTEE SHELLY BURNETT, MAYOR CHRIS TRUJILLO, TRUSTEE MARTY ASPLIN, TRUSTEE LOUIE VELASQUEZ. STAFF ATTENDEES: CHIEF OF POLICE FRANK ARCHULETA, PUBLIC WORKS KEVIN LARIMORE, TOWN TREASURER RAMONA DORDAN, CODE ENFORCEMENT OFFICER NINEAH MARTINEZ, AND TOWN ADMINISTRATOR BERNADETTE MARTINEZ AND TOWN ATTORNEY EUGENE FARISH

MODIFICATIONS TO AGENDA

Town Administrator Martinez stated she would like to recommend a modification to the agenda that the executive session be after J. Staff reports and Town Attorney moved to after executive session.

APPROVAL OF CONSENT AGENDA

1. The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

- a. Minutes of Regular Meeting from January 10, 2024
- b. Review and Approval of Financial Accounts /Reports

Trustee Shelly Burnett made a motion to approve the minutes and the financials, seconded by Trustee Louie Velasquez. ROLL CALL: Lobato, Williams, Muncy, Burnett, Trujillo, Velasquez and Asplin. All with aye vote. Mayor Trujillo declared the motion passed.

CITIZEN COMMENTS/SPECIAL PRESENTATIONS

1. Citizen Comments

The Town Board welcomes your unscheduled comments. Please limit comments to three minutes. The Town Board will not take action at the same meeting.

2. Scheduled Appearances

To be included on this portion of the agenda, please file the appropriate form with the Town Clerk no later than noon on Thursday prior to the meeting.

a. Del Norte Public Library Annual report-Glynnis Williams and Sue Williams were present at the meeting and gave the DN Library annual report and library budget for 2024. The library has been remarkably busy. They offer summer reading programs, book sales during Covered Wagon Days, and they do offer the library for community events. Sue mentioned that the adventure book walk that is in the Town Park seems to be enjoyed by those who are in the park, and they do change out the book, about every couple of months, for a new story book. To sponsor the book walk, it is \$250.00. With some discussion, Trustee Shelly Burnett made a motion to give the Del Norte Library \$250.00 to sponsor adventure book story in town park, seconded by Trustee Brenton Williams. ROLL CALL: Lobato, Williams, Muncy, Burnett, Trujillo, Velasquez and Asplin. All with aye vote. Mayor Trujillo declared the motion passed.

LICENSES/LIQUOR RENEWALS

The Town Board conducts these actions in its capacity as the Local Licensing Authority.

1. Alta-CF Altitude. LLC Fermented Malt Beverage Liquor renewal.

Discussion was held and Chief Archuleta had no issues with renewing the license. Motion was by Mayor Pro-Tem Bob Muncy and seconded by Trustee Louie Velasquez to approve the renewal of the FMB liquor license for Alta, CF Altitude, LLC. Roll call: Trustee Lobato, Williams, Mayor Pro Tem Muncy, Trustee Burnett, Mayor Trujillo, Trustee Asplin, and Trustee Velasquez. Roll call: All ayes, Mayor declared motion carried.

RESOLUTIONS

Discussion on Rio Grande County IGA Marketing Tourism Funds- Rio Grande County Commissioners had sent over the IGA Marketing funds agreement, the funds are distributed to Del Norte Chamber of Commerce for events and marketing efforts for the Town. A motion was made by Trustee Shelly Burnett to approve the IGA submitted by Rio Grande County, seconded by Trustee Louie Velasquez. Roll call: Trustee Lobato, Williams, Mayor Pro-Tem Muncy, Trustee Burnett, Mayor Trujillo, Trustee Asplin, and Trustee Velasquez. Roll call: All ayes, Mayor declared motion carried.

CONTRACTS/AGREEMENTS/LEASES

1. Rio Grande Hospital easement and agreement of relocating current water line-this was tabled last month, the agreement was revised that if the Town were to put in the line, it would be at the expense of the hospital and not the Town. A motion was made by Trustee Leigh Anne Lobato to approve the agreement between the Town and Valley Citizens' Foundation for Health Care, Inc., seconded by Trustee Brenton Williams. Roll call: Trustee Lobato, Williams, Mayor Pro Tem Muncy, Trustee Burnett, Mayor Trujillo, Trustee Asplin, and Trustee Velasquez. Roll call: All ayes, Mayor declared motion carried.

STAFF PROPOSALS, TOWN ATTORNEY/DN CHAMBER REPORTS, AND ACTIONS

Will Kreutzer- Del Norte Chamber presented the Town with a check for \$15K. This is from the MOU that the Town and Chamber had on the Downtown Improvement project. He is stepping down after 12 years of Chamber president. The Town Board thanked Will for the contribution to Del Note Chamber of Commerce and the Downtown Improvement project.

Discussion on Mettje Swift storefront removal of wood awning - Town Administrator Martinez stated the reason she put this on the agenda is for discussion is that the wood awning is in the way of the installation of the new sidewalks that will be going in this summer. She talked with Mettje and she wanted to know what the Town was going to put in its place, I let her know we have no intentions of putting the awning back up and across the sidewalk. If she wanted an awning it would be attached to her building. With more discussion, Public Works, Kevin Larimore stated that his crew will go over to see how it is attached to see if they can remove it. All items along the State right-away will have to be removed before we do the contractors walk through when we go out to bid on this project.

EXECUTIVE SESSION

Trustee Leigh Anne Lobato made motion to go into executive session *for a for a conference with the Town Attorney for the purpose of receiving legal advice on pending litigation under C.R.S. 24-6-402(4)(b). Also, action is needed by the Town Board because of receiving legal advice in executive session, under C.R.S. 24-6-402 (4)(b). Motion is seconded by Trustee Brenton Williams.* ROLL CALL: Trustee Leigh Anne Lobato, Trustee Brenton Williams, Mayor Protem Bob Muncy, Trustee Shelly Burnett, Mayor

Chris Trujillo, Trustee Marty Asplin, Trustee Louie Velasquez, All ayes, by roll call: Mayor declared motion carried.

Mayor Trujillo stated it is Wednesday, February 14, 2024, and the time is 6:22 p.m. For the record, I am the presiding officer, As required by the OML, this executive session is being electronically recorded. The participants at the executive session are; Trustee Lobato, Trustee Williams, Mayor Protem Muncy, Trustee Burnett, Mayor Trujillo, Trustee Asplin, Trustee Velasquez. Staff Attendees: Town Administrator Bernadette Martinez and Town Attorney Farish and Chief Frank Archuleta. This is an executive session for the following purpose *for a conference with the Town Attorney for the purpose of receiving legal advice on pending litigation under C.R.S. 24-6-402(4)(b). Also, action is needed by the Town Board because of receiving legal advice in executive session, under C.R.S. 24-6-402 (4)(b).* I caution each participant to confine it 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 to be outside the proper scope of the executive session, please interrupt the discussion and make an objective. As the Town Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session. The time is 6:23 p.m. and I am turning off the recorder.

Mayor Chris Trujillo stated that time is 7:19 p.m. and I have turned the recorder back on because the privilege attorney-client communication is concluded. The participants at the executive session were Trustee Lobato, Trustee Williams, Mayor Protem Muncy, Trustee Burnett, Mayor Trujillo, Trustee Asplin, Trustee Velasquez. Staff Attendees: Town Administrator Bernadette Martinez and Town Attorney Farish and Chief Frank Archuleta. For the record, if any person who participated in the executive session believes that any substantial discussion of any matter not included in the motion to go into executive session occurred during executive session, or that any improper action occurred during the 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 on the agenda is the Town Attorney report.

TOWN ATTORNEY REPORT

Municipal Courts-Attorney Farish mentioned to the Town Board that with the recent municipal court cases he suggested that the Town Board consider going to a court of record. Discussion was held and the motion was made by Trustee Leigh Anne Lobato and seconded by Brenton Williams to have municipal courts a court of records. Roll call: Trustee Lobato, Williams, Burnett, Trustee Asplin, and Trustee Velasquez. All Yes. Mayor Pro-tem Muncy and Mayor Trujillo; Voting No Mayor declared motion carried. Attorney Farish will construct an ordinance for next month's board meeting.

1041 Regulations-Town Attorney Farish did mention that 1041 regulations that SLV COG has been working on he has voiced his concerns that if an application were to come to the Town for water outside the SLV, it could be a burden on staff and the cost could be very substantial. He has proposed a statement of what he would like in the regulations to help the municipalities that he represents.

ADJOURNMENT OF MEETING

Motion was made and seconded to adjourn.

Submitted on the 13th day of March 2024.

DRAFT