

**Del Norte Town Board
Special Board Meeting
Wednesday, February 28, 2024 -6:00 p.m.**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in special board meeting on February 28, 2024, 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:

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: TOWN ADMINISTRATOR BERNADETTE MARTINEZ AND TOWN ATTORNEY EUGENE FARISH and BY ZOOM NICHOLAS POPPE, NATHAN DUMME & MAYER, PC MARNI NATHAN KLOSTER

Martha Williams -was present and cited 3.6 of the Town Code Meetings to the Public- Citizens have a reasonable time to be heard, Martha was given time to ask questions of the Town Board. She wanted to know how much in legal fees that the Town has spent on the Anzalone case, and how much more do they anticipate in spending. Mayor Chris Trujillo stated it is not near what she (Anzalone) has spent, and the Town doesn't know at this time how much more we anticipate in spending.

Kari Lichtenfeld -was also present and stated that the Board should focus more on our Town and could be spending money on water infrastructure and our roads.

The Town Board thanked them for their comments.

Trustee Brenton Williams made motion to go into executive session *for a conference with the Town Attorney for the purpose of receiving legal advice on pending litigation of the Anzalone case under C.R.S. 24-6-402(4)(b).*, and the discussion of appeal to the Colorado Supreme Court, motion is seconded by Trustee Louie Velasquez. **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, All ayes, by roll call: Mayor declared motion carried.

Mayor Trujillo stated it is Wednesday, February 28, 2024, and the time is 6:09 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 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: TOWN ADMINISTRATOR BERNADETTE MARTINEZ AND TOWN ATTORNEY EUGENE FARISH and BY ZOOM NICHOLAS POPPE, NATHAN DUMME & MAYER, PC MARNI NATHAN KLOSTER. This is an executive session for the following purpose for conference *with the Town Attorney for the purpose of receiving legal advice on pending litigation of the Anzalone case under C.R.S. 24-6-402(4)(b).*, and the discussion of appeal to the Colorado Supreme Court. 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 6:11 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.

I hereby attest that this recording reflects the actual context of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording of the OML. The participants at the executive session are: 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: TOWN ADMINISTRATOR BERNADETTE MARTINEZ AND TOWN ATTORNEY EUGENE FARISH and BY ZOOM NICHOLAS POPPE, NATHAN DUMME & MAYER, PC MARNI NATHAN KLOSTER. 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. Motion was made by Trustee Brenton Williams and seconded by Trustee Shelly Burnett to adjourn. Roll call: All ayes, Mayor declared meeting adjourned.

Submitted on the 13th day of March 2024.