

**Del Norte Regular Town Board Meeting
August 14, 2024**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session on August 14, 2024, in the Board Meeting Room, 140 Spruce Street, Del Norte, Colorado at the hour of 6 p.m. There being present at the **CALL OF THE ROLL** the following persons:

ROLL CALL:

Town Board present: Trustee Leigh Anne Lobato, Trustee Andrew Velasquez, Mayor Shelly Burnett, Mayor Pro Tem Sarah White and Trustee Louie Velasquez with Trustee Brenton Williams and Trustee Bob Muncy absent, Mayor Burnett declared a quorum present.

MINUTES:

Trustee Leigh Anne Lobato addressed two corrections that were needed on the July 10th Regular Board Meeting. A motion was made by Mayor Pro Tem Sarah White to approve the July 10, 2024 and Public Hearing July 10, 2024 and financials with corrections noted, seconded by Trustee Louie Velasquez, Roll call: All ayes. Mayor Burnett declared the motion carried.

CITIZENS COMMENTS /SPECIAL PRESENTATIONS:

- 1- Paul Renner addressed the board with his concerns on landscaping within the Town of Del Norte and stated that the Town is not doing their part in keeping the Town weeds and properties clean. He presented a power point to show several areas in Town that are overgrown with weeds or falling down structures. He stated that he was not here to vent but to try to offer suggestions. He will be returning next month with additional paperwork for the board. The board thanked him for his information.
- 2-Ryan Scavo addressed the board with a suggestion of the Town putting up more information concerning the downtown project to keep the public informed.
- 3- Ruthanne Johnson – Rio Grande Museum Board – Ms. Johnson presented a power point of the museums planned landscaping project, she is also requesting a monetary donation for the artwork they would like to purchase. The board will review at a work session to be set for 9/4/2024 at 5 pm.

UNFINISHED BUSINESS:

DEL NORTE FIRE DISTRICT – Placement of fire siren – after discussion the board decided to have a work session with the Fire District Board, session to be set for 9/4/2024 at 5 p.m.

PERMITS/LICENSES/LIQUOR RENEWALS:

Boogies – Hotel/Restaurant Liquor renewal – After discussion concerning that their license had lapsed, Chief Archuleta stated that he would make contact with them, and advise them that they need to submit the renewal in a more timely manner. A motion was made by Trustee Andrew Velasquez to approve the renewal with the condition that Chief Archuleta will speak to them concerning letting their license lapse, seconded by Trustee Louie Velasquez, Roll call: All ayes. Mayor Burnett declared the motion carried.

Alfabet LTD, dba Trade and Post, Ltd – Modification of Premises – Paul Fennel discussed his proposed modification of premises application. The board requested more information on how Paul would maintain monitoring of such a large area. Paul stated that he would have cameras and he would be hiring extra help. He also stated that the area would be roped off and signage placed, he stated he would try to staff appropriately. Trustee Leigh Ann stated that she would not approve due to her concerns on the ability to monitor, Chief Archuleta shared the same concern. After further discussion Mayor Pro Tem Sarah White made a motion to approve the modification of premises for Alfabet LTD and seconded by Trustee Louie Velasquez. Roll call: 4 ayes and 1 Nay, Mayor Burnett declared the motion carried.

Uptop Café – New Liquor License application – set public hearing – Mr. Hannah presented a new application for a liquor license at the establishment located at 670 Grand Ave, the board accepted the application and set a public hearing for September 11, 2024 at 5:00 p.m.

Del Norte Bank – Special Events Permit scheduled for September 6, 2024, after discussion Trustee Leigh Anne made a Motion to approve the Special Event Permit and seconded by Trustee Andrew Velasquez. Roll call: All ayes. Mayor Burnett declared the motion carried.

CONTRACTS/AGREEMENTS/LEASES/REQUEST::

1-Laura Haefeli – Donation request – Laura Haefeli presented a request for a \$300.00 donation for the Bees Knees 5k trail run and walk. She informed the board that the money would be used for to build up a scholarship fund for the athletes, it will only be used for this purpose. A motion was made by Trustee Leigh Anne to approve a donation of \$300.00 for the Bees Knees scholarship fund, seconded by Mayor Pro Tem Sarah White, Roll call: All ayes. Mayor Burnett declared the motion carried.

2- MY Rural Planner Agreement – Michael Yerman – Cherry Street Housing Project - Work Session is set for August 21, 2024 at 5 p.m.

3-RGFS – Del Norte Head Start – Request to install a fence on existing concrete barrier that is encroaching on Town property – after discussion the board decided since the concrete barriers were already there they saw no reason to deny the fence permit. A motion was made by Mayor Pro Tem Sarah White to approve the fence permit for Del Norte Head Start, seconded by Trustee Louie Velasquez, Roll call: All ayes. Mayor Burnett declared the motion carried.

RESOLUTIONS/ORDINANCES: None

DN CHAMBER REPORTS : None

STAFF REPORTS :

1-Police - Chief Archuleta reviewed his report with the board. Chief Archuleta also advised the board that the 2017 Explorer is in need of a new engine, total cost is \$8980.00, but he only needs \$6600 because he still had a balance on a prior budget request . A motion was made by Trustee Louie Velasquez to approve the additional funds from the CIF in the amount of \$6600.00, seconded by Trustee Leigh Anne Lobato , Roll call: All ayes. Mayor Burnett declared the motion carried.

2-Public Works – Kevin reviewed his report and also advised the board of the progress of the Downtown project.

3-Town Hall – Report submitted - No Questions from the board

4-Planning Commission –

- a. Amending 16 B Zoning Use Chart – new zoning use chart was presented from Planning Commission for review, A motion was made by Mayor Pro Tem Sarah White to approve the new Zoning Use Chart as submitted from the Planning Commission, seconded by Trustee Louie Velasquez , Roll call: All ayes. Mayor Burnett declared the motion carried.
- b. Set interview/Appointment – Interview set for September 11 at 5:45 p.m.

TOWN BOARD REPORTS :

1-Town Board – Mike White- Colorado Great Outdoors grants – Work Session is set for September 5, 2024 at 5 p.m.

2-Town Board – Trustee Leigh Anne Lobato/Broken Arrow Realty – Parcel of land for sale at the end of Spruce Street – TABLED

3-Town Board Shirts – Mayor Shelly Burnett advised the board that she wanted to request a motion be made to be able to use Trustee Andrew Velasquez' wife's business KT's Kustom Kreations, as we have used them in the past . A Motion was made by Trustee Leigh Anne Lobato to continue to use KT's Kustom Kreations , seconded by Sarah White Mayor Pro Tem . Roll call: All ayes. Mayor Burnett declared the motion carried.

4.RV Dump Station – Tabled until Budget planning.

5-Trustee Comments – Trustee advised the board that she wanted to present a picture she had made and framed by Ryan Scavo from Big River Photography . The board thanked her for her kind donation.

EXECUTIVE SESSION

Motion was made by Trustee Leigh Anne Lobato and seconded by Mayor Shelly Burnett to go into executive session for a conference with Town and with Town Attorneys for the purpose of receiving legal advice on pending litigation on the Anzalone Case under C.R.S. 24-6-402(4)(b). Roll call: All ayes, Mayor Burnett declared motion carried. Mayor Burnett stated it is August 14,2024, 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 , Trustee Leigh Anne Lobato, Trustee Andrew Velasquez, Mayor Shelly Burnett, Mayor Pro tem Sarah White, Trustee Louie Velasquez, Town Attorney Eugene Farish, Town Treasurer Ramona Dordan, Deputy Clerk Nineah Martinez and attending by zoom is Attorney Nick Poppi, with NDM Attorney at Law. For the purpose of receiving legal advice on specific legal questions, under CRS Section 24-6-402 (4)(b) on pending litigation on the Anzalone Case . 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 7:50 p.m. Executive session took place, until motion was made and carried to exit executive session. Motion was made by Mayor Pro Tem Sarah White and seconded by Trustee Louie Velasquez to come out of executive session at approximately 8:23 p.m. Mayor Shelly Burnett stated those present in executive session was Mayor Shelly Burnett, Trustee Leigh Anne Lobato, Trustee Andrew Velasquez, Mayor Pro Tem Sarah White, Trustee Louie Velasquez, , along with Town Town Treasurer Ramona Dordan, Deputy Clerk Nineah Martinez , Town Attorney Eugene Farish and Attorney Nick Poppi . 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 into executive session occurred during executive session, that if any improper action occurred during 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 is adjournment.

ACTION TAKEN AFTER EXECUTIVE SESSION – Discussion was held on the options available, then Mayor Pro Tem Sarah White made a Motion to allow the Attorney handling the Anzalone case to negotiate a resolution for opposing council for attorney fee's – subject to final approval by the Town board, seconded by Trustee Andrew Velasquez. Roll call: All ayes. Mayor Burnett declared the motion carried

ATTORNEY REPORT

Attorney Eugene Farish – updated the board on the Henning case, also reviewed the status of moving forward with becoming a Court of Record. He also reminded the board that he is having a board orientation on September 16 at 1:30 p.m. at his office, he recommended that all new trustee's attend.

With nothing further before the Town Board , Trustee Leigh Anne Lobato made Motion to adjourn the meeting seconded by Mayor Pro Tem Sarah White. Roll call: All ayes. Mayor Burnett declared the motion carried

Submitted on the 11th day of September 2024.