

**TOWN OF DEL NORTE**  
**Regular Town Board Meeting**  
**December 11, 2024 – 6:00 P.M.**

The Board of Trustees of the Town of Del Norte, Rio Grande County, State of Colorado, met in regular session at 140 Spruce Street, Del Norte, Colorado at the hour of 6:00 p.m. on Wednesday, December 11, 2024. There being present at call of roll the following:

**ROLL CALL**

Town Board present: Mayor Shelly Burnett, Trustee Louie Velasquez. Attending the meeting by zoom: Trustee Bob Muncy, Mayor Pro Tem Sarah White. Absent was Trustee Andrew Velasquez, and Trustee Brenton Williams. Mayor Burnett declared quorum present.

Members of Staff: Town Attorney Eugene Farish, Town Treasurer Ramona Dordan, Town Administrator Bernadette Martinez, Public Works Kevin Larimore, Chief of Police Frank Archuleta.

**MINUTES AND FINANCIALS**

**Minutes of Regular Meeting from November 13, 2024, and Review and Approval of Financial Accounts**

**/Reports-** The motion was made by Trustee Leigh Anne Lobato motion was seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Burnett declared motion carried.

**CITIZEN COMMENTS/SPECIAL PRESENTATIONS**

**Glynnis Williams** from Del Norte Library approached the Town Board with copies of a letter of warning, which is a written warning that the library has received. Glynnis stated when she called, she was told if it did not apply to you, then throw it away. I did not throw it away since it was a written warning. She felt the letter was a very rude way of getting the point across, on the snow removal, which CDOT gives 24 hours to remove the snow, but the Town is four hours from when the snow stops. The Chief of Police apologized if the letter offended anyone, it was not their intention and he knows it should have been formatted differently.

**Joseph Trujillo- International Ecocide Law-**Joseph Trujillo wanted to bring awareness to the Town Board about the Ecocide Law, and how changing our habits, has a substantial impact on the environment. Also protecting our future on earth stops mass damage of the ecosystem. Joseph read the Town's vision statement that he found in a book that was written by the late Ruth Marie Colville, and stated we need to apply it to our community. We should not over develop and add recreation to our conversations of the land on how to protect it. Mayor Shelly Burnett mentioned to Joseph that she would like to have a work session with him to go over his ideas of the protecting our Town. The work session is set for February 6, 2025, at 4:00p.m.

**UNFINISHED BUSINESS**

**205 Pine Street- Encroachment of Property- Montano Estate-**Mr. Kuenhold representing the Montano estate was present by zoom. Town Attorney Gene Farish mentioned to the Town Board that he did send out a memo to them, and he does not have a problem sending it to Mr. Kuenhold if the Board wanted him to release his Attorney/Client conversation. Attorney Farish relayed to Town Board according to Colorado Revised Statute 31-15-713- the Town has power to sell property unless it is held for public purpose, which a street is for public purpose in which then an election will have to be held to sell a portion of Town street. Mr. Kuenhold stated that the Town Board could vacate the street,

**PERMITS/LICENSES/LIQUOR RENEWALS**

**Special Events Permit- Gonzales Family reunion-July 25-26, 2025-** With some discussion motion was made by Trustee Louie Velasquez and seconded by Mayor Pro Tem to approve the Special Events permit for the Gonzales. Roll call: All ayes, Mayor Burnett declared motion carried.

## RESOLUTIONS/ORDINANCES/PROCLAMATIONS

**Ordinance No.765- Amending Proposed changes on Zoning Chart-** Trustee Leigh Anne made the motion and seconded by Trustee Louie Velasquez to approve the Certification of mill levy for 2025. Roll call: All yes, Mayor Burnett declared motion carried.

**Ordinance No.768 Adoption of 2025 Budget and Summarizing Expenditures-** Trustee Bob Muncy made the motion and seconded by Trustee Louie Velasquez to adopt the 2025 Budget and Expenditures. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Ordinance No. 769 Appropriating monies for Funds 2025 budget year-** Trustee Bob Muncy made the motion and seconded by Trustee Louie Velasquez to approve Ordinance No. 769 Appropriating monies for Funds 2025 budget year. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Ordinance No: 770 Levying property Tax for 2025-** Trustee Louie Velasquez made the motion and seconded by Trustee Bob Muncy to approve Ordinance No. 770 Certification of Mill levy for tax year 2025. Appropriating monies for Funds 2025 budget year. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Ordinance No. 771 Amending the Water Fund-** Trustee Leigh Anne Lobato made the motion and seconded by Mayor Pro Tem Sarah White to approve Ordinance No. 771 Amending the water fund for 2024. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Resolution 5-2024 Adopting Virtual Meeting Procedures-** Mayor Pro Tem Sarah White made the motion and seconded by Trustee Louie Velasquez to approve Resolution 5-2024 Policy adopting the Virtual Meeting procedures. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Resolution 6-2024-Water and Sewer rates for 2025-** Trustee Louie Velasquez made the motion seconded by Trustee Leigh Anne Lobato to approve Resolution 6-2024 adopting Resolution No 6, water and sewer increases for 2025. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Resolution 7-2024- Approval of 2025 Fee Schedule-**Trustee Leigh Anne Lobato made the motion and seconded by Trustee Bob Muncy to approve Resolution 7-2024 2025 Fee schedule. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried.

**Certification of Liens for Town Services 2024 to Rio Grande County Treasurer-** Town Administrator Martinez mentioned the total as of 5:00 pm today the amount is \$15,607.11 Trustee Bob Muncy made the motion and seconded by Trustee Leigh Anne Lobato to approve the certification of liens to Rio Grande County Treasurer. Roll call: All yes, roll call: All yes, Mayor Burnett declared motion carried. Town Administrator stated that the amount might change by the time she takes over tomorrow.

**DN CHAMBER UPDATE-** Del Norte Chamber Caboose was discussed Paul Fennell, president of Chamber stated that they received an offer to sell the Caboose for \$16K. Paul Fennel who is the president of Chamber stated they are open to all ideas, if it was to serve a greater purpose to the Town, than it is now, he's open. He likes that the conversation has started within the Community to determine what to do with the Caboose. Mayor Burnett stated that she has had conversations with Rio Grande County and will be having a work session. Work Session is set for January 16, 2025, at 4:00 p.m. Paul mentioned that he would like the Town Board to work on parking in the downtown area, especially next year when the construction project starts up again. Paul also addressed the written warning letter that he received. He had also thought he had done something wrong, but if it is going to be enforced it should be for everyone.

**STAFF REPORTS Police-** Chief of Police mentioned that the radar sign sustained some damage when it was hit on the west side of Town by a County plow truck, he will see about getting it repaired. **Public Works-**Kevin reported the construction will wrap up this week, they have one more streetlight that Valley Electric must install, and the project

will start up again next Spring. The Ninth street project will be complete next year, weather was a factor in getting the sidewalk and asphalt done. He did mention to the Town Board that someone hit the Mineral well, he is not sure when it was hit. The masonry on the well will have to be repaired on the inside and the outside. **Town Hall- Town insurance-** The motion was made by Trustee Leigh Anne Lobato to approve CIRSA for the Town insurance, due to the cost savings, motion seconded by Trustee Louie Velasquez. Roll call: All yes, Mayor Shelly Burnett declared motion carried. **Town Attorney** – Town Board orientation scheduled for January 28, 2025, at 4:00 p.m. **Planning Commission -Appointment-** Suzanne Beauchaine to Planning Commission- Trustee Leigh Anne Lobato made the motion to appoint Suzanne Beauchaine, seconded by Mayor Pro Tem Sarah White. Roll call: All ayes, Mayor Shelly Burnett declared motion carried.

**TOWN BOARD REPORTS-** Tree Board Appointment-Trustee Leigh Anne Lobato made the motion to appoint Mayor Pro tem Sarah White for one year as Town Board representative, seconded by Trustee Bob Muncy. Roll call: All ayes, Mayor Shelly Burnett declared motion carried. **Trustee Comments-**Mayor Pro tem Sarah White asked if a work session could be planned for a strategic planning to go over the vision and goals of the Town.

### **EXECUTIVE SESSION**

Trustee Leigh Anne Lobato made the motion and seconded by Trustee Bob Muncy to go into executive session 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). Roll call: All ayes, Mayor Shelly Burnett declared motion carried. Mayor Burnett stated it is December 11, 2024, the time is approximately 8:17p.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, My-self Mayor Shelly Burnett, Trustee Louie Velasquez, Town Attorney Gene Farish, Town Administrator Bernadette Martinez, Kevin Larimore, Public Works, Treasurer Ramona Dordan and on zoom is Trustee Bob Muncy. For the purpose of receiving legal advice on specific legal questions, under CRS Section 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 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 8:19 p.m. Executive session took place, until motion was made and carried to exit executive session. Motion was made by Trustee Leigh Anne Lobato and seconded by Trustee Louie Velasquez to come out of executive session at approximately 8:30 p.m. Mayor Shelly Burnett stated those present in executive session was herself Mayor Shelly Burnett, Mayor Pro tem Sarah White, Trustee Louie Velasquez, Trustee Leigh Anne Lobato, along with Town Administrator Bernadette Martinez, and Town Attorney Eugene Farish, on zoom Trustee Bob Muncy. 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 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. With some discussion, Mayor Pro Tem Sarah White made the motion to have Town Attorney Farish send a response to Mr. Montgomery that we do not accept responsibility, seconded the motion Trustee Louie Velasquez. Roll call: All ayes, Mayor Shelly Burnett declared motion carried.

**Town Administrator** approached the Town Board that she has one more item to share with the Town Board and that was Town Treasurer Ramona Dordan has submitted her letter of resignation to become effective March 30, 2025. Trustee Leigh Anne Lobato thanked Ramona for giving the Town time to find someone to fill the position. Town

Administrator Martinez stated that she will start advertising the position. She also mentioned that it was not going to be easy to find a replacement, since we all have different hats that we wear.

ADJOURNMENT OF MEETING- With nothing further meeting was adjourned.

DRAFT