

**TOWN OF DEL NORTE**  
**Regular Town Board Meeting**  
**June 11, 2025 – 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, June 11, 2025. There being present at call of roll the following:

**ROLL CALL**

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

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

**AMENDMENT TO AGENDA**-Mayor Shelly stated that she would like to amend the agenda to add to G- Resolution 3-2025 for Trustee Attendance.

**Minutes of June 11, 2025, Regular Meeting and Financial**-Motion was made by Trustee Brenton Williams to approve the minutes and the financials for the month of May, motion was seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Burnett declared motion carried.

**SPECIAL PRESENTATIONS**

**Wall, Smith and Bateman, Associates Town 2024 Audit**- The Town's 2024 audit was presented by Jessica Bogart she gave a summary version of the Town audit. The motion was made by Leigh Anne Lobato to accept the 2024 Town audit as presented motion was seconded by Trustee Bob Muncy. Roll call: All yes, Mayor Shelly Burnett declared motion carried. **United Companies-Reed Pepples** –approached the Town Board and has requested a reduction in the bulk water rate. United Companies is the contractors that are doing the asphalt work on Highway 112. He stated this work project does bring revenue to the Town with his employees staying in the area work and frequent the Town's establishments. Also having the ability to have access to water closer would not put a delay in the completion of the project. They are about 40% into the project. Town Administrator Martinez mentioned that to date they have used 299,500 gallon of water. With some discussion motion was made by Trustee Brenton to reduce rate o 3 ½ cents down from 5 cents a gallon, with no retraction. Motion was seconded by Trustee Sarah White. Roll call: All ayes, Mayor declared motion carried. **Ashley Valdez, Xcel Energy-Ashley** gave a presentation on the Xcel Franchise agreement. The Towns agreement will expire in November, which is a 20 year agreement. The Town's franchise percentage is 3% which we collected \$79930 in 2024. She also mentioned that the Town has \$355K from the one percent that they put in for underground construction projects. Town Board thanked Ashley for attending.

**UNFINISHED BUSINESS- 560-590 Alley Closure request**-With some discussion motion was made by Brenton Williams to take a roll vote on the closure of the alley, motion was seconded by Trustee Bob Muncy. Roll call: Trustee Louie Velasquez-open, Mayor Pro tem Sarah White-open, Mayor Shelly Burnett-open, Trustee Bob Muncy-open, Trustee Brenton Williams-open, Trustee Leigh Anne Lobato-open. Mayor Shelly Burnett declared motion has passed to leave the alley on 560-590 French Street open.

**Vendors/Farmers Market for Music in the Park-Special Events permit- Covered Wagon Day, Inc.**-Janet Ortiz and Nineah Martinez approached the Town Board that since Mercado had decided not to do the farmers market in the park during music in the park, Covered Wagon Days committee has submitted a special events permit to hold the Vendors market. With some discussion motion was made Trustee Brenton Williams to approve the special events permit for Covered Wagon Days committee, motion was seconded by Trustee Mayor Pro tem Sarah White. Roll call: All ayes, Mayor Burnett declared motion carried.

### **PERMITS/LICENSES/LIQUOR RENEWALS**

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

**New Tavern Liquor License Application-Elevated Pairing, LLC -d/b/a Vault 730 –Accept and Set Public Hearing- July 9, 2025 5:30.** Diana Brier was present and mentioned to the Town Board that she is applying for a new liquor tavern license for 730 Grand Avenue and she is aware of the Town's current code not to allow minors in a tavern establishment. With some discussion motion was made by Trustee Brenton Williams to accept the liquor license application and set public hearing date for July 9, 2025 at 5:30 p.m., motion was seconded by Trustee Leigh Anne Lobato. Roll call: All ayes, Mayor Burnett declared motion carried.

**Everyday Stores, LLC- Fermented Malt Beverage-FMB liquor renewal**-With some discussion motion was made Trustee Bob Muncy to approve the FMB license renewal for Everyday Stores, LLC, motion was seconded by Trustee Louie Velasquez. Roll call: All ayes, Mayor Shelly Burnett declared motion carried.

**Pay and Save, Inc d/b/a Wild West Wine and Spirits Inc-Retail liquor renewal**-With some discussion motion was made Trustee Brenton Williams to approve the retail liquor license for Pay and Save, Inc. motion was seconded by Trustee Bob Muncy. Roll call: All ayes, Mayor Shelly Burnett declared motion carried

**Del Norte Chamber Special Events and Selling of Alcohol- July 5, 2025**-Micah Reynolds was late to the Board meeting and at first was discussed to hold a special meeting, but with a phone call Micah arrived to discuss the application. Discussion was held on the location of the beer garden being on the fishing pier. Micah stated that they will be doing some water events and he wanted to offer the fishing pier as a location to be able to sit and have a drink. He will be bringing in high tables and chairs to sit on. Micah stated that members of DN Chamber will be the security of the beer garden. The event will be from 10 a.m. to 6:00 p.m., with the beer garden opening at noon. With more discussion motion was made by Trustee Bob Muncy to allow the Special Events Permit and alcohol for Del Norte Chamber, motion was seconded by Trustee Brenton Williams. Roll call: All ayes, Mayor Burnett declared motion carried.

**Covered Wagon Days Special Events Permit and the sale of Alcohol –Covered Wagon Days- Aug 1-3, 2025.** Janet Ortiz and Nineah Martinez were present. Trustee Leigh Anne Lobato brought up that a policy needs to be in place on the beer gardens in the park, she felt that number of attendance of patrons that security needs to be off-duty officers. Nineah mentioned that he staff is security of the beer garden, and if they are wanting her to pay for off-duty officers for security of her beer garden that would be an added expense of the non-profit Covered Wagon days committee. Nineah also stated that approximately there is only 10 or so at a time in the beer garden. The area of the beer garden is not the whole park, she has a small section block off for the garden. With more discussion motion was made by Trustee Brenton Williams and seconded by Trustee Bob Muncy to approve the special events permit and the sale of alcohol for Covered Wagon Days. Roll call: All ayes, Mayor Shelly Burnett declared motion carried.

### **G. RESOLUTIONS/ORDINANCES/PROCLAMATIONS**

**Ordinance NO 772-** An Ordinance Amending Certain sections of the Del Norte Town Code relating to penalties for dogs running at large and failure to remove sidewalk snow in commercially zoned areas of the Town and Table 16-4A, Use chart, of the Del Norte Municipal Code. With some discussion motion was made by Trustee Brenton Williams to adopt Ordinance No 772, seconded by Trustee Bob Muncy. Roll call: All ayes, Mayor Shelly Burnett declared motion a carried.

#### **ORDINANCE NO.772**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE DEL NORTE TOWN CODE RELATING TO PENATIES FOR DOGS RUNNING AT LARGE AND FAILURE TO REMOVE SIDEWALK SNOW IN COMMERCIALY ZONED AREAS OF THE TOWN AND TABLE 16-4A, USE CHART, OF THE DEL NORTE MUNICIPAL CODE**

WHEREAS,the costs of impounding dogs running at large and impoundment have increased in the last few years; and

WHEREAS,the prompt removal of snow and ice in commercially zoned areas of the Town has become problematic for some businesses; and

NOW THEREFORE,be it Ordained by the Board of Trustees of the Town of Del Norte that the following sections of the Del Norte Municipal code be amended to read as follows:

**Sec. 10-12-40. - Dogs running at large prohibited; impoundment.**

*(e)Redemption and fines.* The owner of any dog so impounded may reclaim such dog, upon proof of vaccination of the dog against rabies and payment of any unpaid fees, all costs, fees and charges incurred by the Town for impoundment and maintenance of the dog, and any penalty assessment to the Town; provided, however, that the owner or person in charge of

any dog running at large shall be subject to the following fine and penalties, regardless of whether any dog has been impounded:

(1)The penalty for the first offense of allowing any dog to run at large is ~~\$25.00~~**50.00**.

(2)The penalty for the second offense of allowing any dog to at large ~~within two years following the first offense~~ is ~~\$50.00~~**100.00**.

(3)The penalty for all subsequent offenses of allowing any dog to run at large ~~within two years following the second offense~~**shall be levied by the Municipal Judge within his/her jurisdictional limits and a summons shall be issued to appear in Municipal Court** ~~is \$100.00~~.

**Sec. 7-4-80. - Costs of impoundment.**

The Chief of Police shall be allowed costs and expenses in this Article mentioned as follows:

(1)The owner of any animal so impounded may reclaim such animal, upon payment to the Town of any unpaid fees, all costs, fees and charges incurred by the Town for impoundment and maintenance of the animal, and any penalty assessment; provided, however, that the owner or person in charge of any dog running at large shall be subject to the following fine and penalties, regardless of whether any animal has been impounded: the penalty for the first offense of allowing any animal to run at large is ~~\$35.00~~**50.00**; the penalty for the second offense of allowing any animal to run at large ~~within two years following the first offense~~ is ~~\$50.00~~**100.00**; and, for all subsequent offenses of allowing any dog to run at large, a summons shall be issued to appear in Municipal Court.

**Sec. 11-1-190. - Snow, ice and tree debris removal from sidewalks.**

It is the duty of the owner, tenant or occupant in possession or control of any premises or property situated within the Town to maintain the sidewalks adjoining such premises or property, and to clean, remove and clear away, or cause to be cleaned, removed or cleared away, any snow, ice or tree debris from the sidewalks in all ~~business~~**CB and CH** districts within the Town within four ~~business~~ hours after the cessation of any fall of snow, sleet or tree debris or by the beginning hours of

the next business day following such fall, whichever period is shorter, and from all other sidewalks in the Town within 24 hours of the cessation of any fall of snow, sleet or tree debris. Such snow, ice or tree debris accumulation is declared to be a nuisance; and whoever is owning, renting or occupying any such premises and fails or neglects to clean the snow, ice or tree debris from the sidewalk as provided herein is guilty of a violation of this Section. **Salt or similar de-icing products are prohibited and the use of such products is a violation of this Section.**

**(1) The penalty for the first offense is \$50.00.**

**(2) The penalty for the second offense shall be levied by the Municipal Judge within his/her jurisdictional limits and a summons shall be issued to appear in Municipal Court.**

It is also ordained that Table 16-4A of Chapter 16, Zoning, of the Del Norte Municipal Code be amended by the interlineation (in bold) of the permitted and conditional uses for Dwelling, Manufactured Home, as follows:

TABLE 16-4A  
Use Chart

USE GROUPS	ZONING DISTRICTS							
	<i>RU</i>	<i>RI</i>	<i>R2</i>	<i>CH</i>	<i>CB</i>	<i>I</i>	<i>MHP</i>	<i>RVP</i>
Accessory buildings and uses	P	P	P	P	P	P		
ADU'S		P	P	P		C		
Adult-oriented businesses (See Articled 10 of this Chapter)				C	C	C		
Agriculture, commercial plant crops	P			C		C		
Airports	C					P		
Amusements, indoor				P	P	P		
Amusements, outdoor				C				
Animal day care facilities and indoor kennels	C			P	C	C		
Animal hospitals	C			P	C	C		
Artisan and photography studios and galleries		C	C	P	P			
Automobile parking lots and parking garages	C			P	P	P		
Bed and breakfasts	P	C	C	C	C			
Boardinghouses				C	C			

Campgrounds, gun clubs and shooting ranges	C			C				
Car washes and auto detailing	C			P	P	P		
Cemeteries	C							
Colleges and universities	C			P	P	C		
Commercial establishments, including but not limited to bulk cleaning and laundry plants, lumberyards, building equipment and wholesaling services, nursery stock production, yard equipment and supply dealers, firewood operations, transportation centers, trucking services, warehouses, wholesale operations and cold storage lockers				C		P		
Commercial services (excluding retail stores), including but not limited to: furniture, household equipment, appliance repair; lumber brokers (excluding on-site inventory), nursery, stock sales; building, plumbing, electrical and landscaping contractors and equipment; and rental establishments				P	C	P		
Community-wide sewage treatment plants, water supply and treatment plants	C					C		
Convalescent and nursing homes	C	C	C	C				
Correctional facilities						C		
Day care centers	C	C	C	P				
Drive-in eating and drinking establishments				P	P			
Dwelling, one unit, two unit	P	P	P	P	P	C	P	
Dwelling Accessory Units	P	P	P	P	P	C	P	
Dwelling, Multi-unit	C	P	P	P	P	C	C	
Dwelling, Manufactured Home	P	P	CP	C		C	P	
Financial institutions	P	P	P	P	P			
Gasoline sales				P	P			
Group residences	C	C	C	C	C	C		
Hospitals, medical and dental clinics, emergency or urgent medical care centers				P	P			
Hotels and motels, including restaurants and other incidental commercial uses inside the principal building				P	P			
Housing for seasonal farm labor	P							
Indoor retail, eating and drinking establishments				P	P	P		
Light industries	C			P	P	P		

Manufactured home, auto, boat, truck and trailer storage, sales, repairs and rentals				P		P		
Manufactured homes more than 24 feet wide on foundation	P	P	P					
Recreational tents/yurts or recreational vehicle parks			P	C				
Manufactured homes, single-wide less than 24 feet wide			P	C				
Membership clubs				P	P			
Mobile offices				P	C	P		
Mortuaries and funeral chapels	C			P		P		
Multi-unit dwellings		P	P	C	C			
Museums				P	P			
Outdoor sales and repair				P	P	C		
Pawn shops				P	P			
Personal services, including but not limited to barbershops, beauty shops, dry cleaning outlets, self-service laundries, shoe repair shops, printing and similar services	C	C	C	P	P	C		
Personal services, retailing goods serving only residents of an area in which these uses are located	C	C	C	C	C	C		
Private schools	C	C	C	C	C	C		
Professional offices, including such fee-for-service establishments as	C	C	C	P	P	C		
Public parks, playfields and playgrounds	P	P	P	P	C	C		
Publicly owned buildings and uses, including schools, libraries and emergency services	C	C	C	C	C	C		
Radio, television and microwave transmitting, receiving or relay stations or towers - commercial mobile radio systems	C					C		
Religious institutions	P	C	C	P		P		
Self-storage units and warehouses				C		P		
Short-term rental	C	C	C	C	C	C		
Storage/shipping containers								
20 feet or less	P	P	P	P	P	P	P	
Over 20 feet	C	C	C	C	C	C	C	
Two-unit dwellings	C	P	P	P	P			
Utility installations, electric substations, sewer lift stations, telephone exchanges, gas regulators, major transmission lines and irrigation ditch rights-of-way; not including utility offices, repair,	C	C	C	C	C	C		

storage or production facilities. Primary structures, such as electric substations, sewer lift stations, etc., must be located more than 100 feet from residential units and approved by the Public Works Director								
Utility uses, including utility offices, repair, storage or production facilities, primary structures, such as electric substations, sewer lift stations, telephone exchanges, gas regulators and major transmission lines, must be located more than 100 feet from residential districts	C	C	C	C	C	C		
Vocational and business schools	C			C		P		
Mobile home parks							P	
Travel trailer parks							P	
Mobile home for rent or lease			P				P	
Mobile or travel home other than permitted use			C				C	

DONE and SIGNED this 11<sup>th</sup> day of June 2025.

/s/ Shelly Burnett, Mayor

ATTEST:

/s/ Bernadette Martinez, Town Clerk

**Resolution 3-2025-A resolution outlining attendance requirements for the Town of Del Norte Board of Trustees.** With some discussion motion was made Trustee Brenton Williams and seconded by Trustee Leigh Anne Lobato to adopt Resolution 3-2025. Roll call: All ayes, Mayor declared motion carried.

**RESOLUTION NO. 3-2025  
A RESOLUTION OUTLINING ATTENDANCE REQUIREMENTS FOR THE  
TOWN OF DEL NORTE BOARD OF TRUSTEES**

**WHEREAS,** the Town of Del Norte, a statutory town in the State of Colorado, operates under the general statutes of the State of Colorado; and

**WHEREAS,** the Board of Trustees recognizes the importance of regular attendance at board meetings to ensure effective governance and decision-making; and

**WHEREAS**, consistent participation by trustees is essential for maintaining transparency, accountability, and the efficient operation of town affairs; and

**WHEREAS**, Section 3.9 of the *Town Board Procedures and Rules of Order* acknowledges that Trustees may be unable to attend meetings of the Board of Trustees and requires that such Trustees make a reasonable effort to inform the Town Administrator or Mayor of such anticipated absence;

**NOW THEREFORE**, be it resolved by the Board of Trustees of the Town of Del Norte to amend Section 3.9 of the *Town Board Procedures and Rules of Order* as follows:

a. **Attendance Requirement**

- 1) Trustees are expected to attend all regularly scheduled board meetings and work sessions.
- 2) Attendance is defined as being present from the time the meeting is called to order through adjournment.
- 3) In the event of an emergency or unavoidable absence, trustees shall notify the Town Administrator or Mayor as soon as possible.

b. **Excused Absences**

- 1) Trustees may request an excused absence in advance of a meeting.
- 2) Excused absences may be granted for illness, family emergencies, or other valid reasons as determined by the Board.

c. **Unexcused Absences**

- 1) A trustee will not be entitled to the monthly water rebate in the event of a non-excused absence in attendance.
- 2) A trustee who is absent from any part of three or more regularly scheduled board meetings within a twelve-month period without an excused absence will be subject to removal in accordance with C.R.S. 31-4-307.
- 3) Prior to any vote on removal, the trustee shall be notified in writing and given an opportunity to address the Board.

**STAFF REPORTS- Police**-Mayor Shelly Burnett asked again this month why is Officer Moore not certified in radar and lidar, Chief Archuleta stated that he is trying to find an instructor that will do the training, we are not the only agency that needs to get officers certified. Chief Archuleta introduced Dorian (Angel) Knight to the Town Board she is our code enforcement officer. Town Board welcomed Angel to the police force. **Public Works-Town Mineral well**-Kevin stated that he is still looking for individual that can do masonry work. **Kevin did bring up the Town Board downtown improvement project** that Oak Street will not be getting the paved bump out like the other section of streets. He stated that we all overlooked in the design plans, because the north-side of Oak is actually Highway 112 and that's CDOTs. Oak Street is the Towns. RMS did give us an estimate of \$24,500 if the Town wanted to do the street, if not they will only be doing the curbs and ADA ramp corners on Oak Street. Mayor asked for a roll call vote on the Oak Street work- all Trustees present independently voted NO on the paving bump out of Oak Street. **Town Attorney**-Farish and Walker were both in attendance for the Board meeting, Attorney Farish mentioned still working on the MTC Code and for Planning Commission the Natural medicine ordinance and the Food truck ordinance. **Town Board**-discussion was held on waiving open container in the park during music in the park, Town Board decision was to the leave the code as is and not waive it.

**ADJOURNMENT OF MEETING**

With nothing further motion was adjourned.

Submitted this 9<sup>th</sup> day of July 2025.