

**TOWN OF MOFFAT
TOWN HALL
BOARD OF TRUSTEES
401 LINCOLN AVE.
MOFFAT, COLORADO**



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES MEETING

January 9, 2024 - 6:00pm

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Mr. Lopez
Mr. Studinski
Mr. Skoglund
Mr. Kunkler
Mr. Berger
Mr. Reichwald (Virtual)
Mrs. Lopez (Virtual)
Mr. Litrenta
Mr. Horsley

- 4. APPROVAL OF AGENDA**
 - a. Approval of Agenda

Mr. Lopez requests to add to new business, Draft Hearing Procedure Resolution Review. Mr. Studinski makes a motion to approve the agenda with the requested amendment. Mr. Skoglund seconds. All approve.

- b. Approval of Minutes

Mr. Studinski makes a motion to approve the minutes. Mr. Skoglund seconds. All approve.

- c. Approval to Pay Bills

Mr. Litrenta explains that the SLV council of governments invoice helps us have access to grants and grant resources like Craig Barrclough. He explains the 2 bills from CIRSA are for workers comp and property/casualty. He also says there is one old invoice from SDC Laboratory and the Sherrif. The mayor reads the bills publicly. Mr. Studinski makes a motion to approve the payment of the bills. Mr. Reichwald seconds. Mr. Skoglund recuses. All others aye.

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Topic: Town of Moffat's Special Meeting
Time: This is a recurring meeting Meet anytime

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Mr. Studinski asks that Mr. Berger not get his check until the board looks in to attendance to ensure payment is fair.

5. PUBLIC COMMENT

Public comment provides a time for community members to present their views to the Board of Trustees. This segment is the only opportunity for the public to comment on any agenda item or other subjects of concern. Everyone is asked to express their viewpoints within a three-minute time allotment to allow all voices to be heard. The Board will consider all public input as we plan for future discussions but will not engage in immediate dialogue or make any decisions on these matters during this segment. Comments that are raised during this time may be considered for inclusion on the agenda of a future meeting. Civility is expected throughout the comment, and personal attacks are not tolerated.

Malinda Meyers asks if the town can monitor the zoom chat during the meeting. She also comments the town on how nice the roads are getting.

Mr. Skoglund says that when he was plowing, he noticed someone hit the stop sign on Broadway and the town might look at having maintenance look at that and fix the stop sign.

Mrs. Justice thanks the mayor for replying to her email. She sent a copy of a 2020 draft ordinance to the town regarding code of conduct of Trustees. She is wondering if that was passed or if the town has a code of conduct ordinance. Mr. Lopez says the town has not found one, but the town is looking to have a new resolution which will be presented during this meeting. She asks who is the governing authority for the conduct of trustees? Mr. Lopez says he is not sure but he is talking to the attorney and the town will look to adopt a resolution to address trustee code of conduct. Mrs. Justice confirms that the 2020 draft ordinance never passed? Mr. Lopez says he is looking in to that but that is his understanding. Mrs. Justice says she drove to Moffat and attended a meeting in 2020 and spoke about Trustee Bergers conduct, and during her comment Mr. Berger talked over her and contradicted her. Mr. Berger asks the mayor if he is going to take care of this as it has been past 3 minutes. Mrs. Justice says she drove a long way that day and didn't feel like she was fairly given her time and she would like the to town to reopen that.

6. REPORTS

a. Clerks Report

Ann has contacted the clerk about the schedule for the water proposal as follows.

Jan 23, 2024-

4 pm- A Trustee meeting to workshop the engineering report

6 pm- a 30 minute public meeting that will be run by GMS

That public meeting needs to be published, GMS will do that. I told them that the Saguache Crescent is Moffat's publishing entity. The article has been sent in for publishing on 1.11.2024

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6:45 could be the start of the regular BoT meeting ?

GMS is asking Randi Snead to attend so she can hear about the proposal and offer feedback on the timeline for grants.

1/16 the report will be available to distribute to Trustees- 12 hard copies.

During the 1/23 meeting they will collect feedback to adjust the alternatives.

2/6 the Town needs to confirm which amended alternative they've chosen.

Also Mrs. Bunting got a response from the Lusks which said:

We do not have water to the house, since it was turned off. I take water jugs to my place of employment, fill them and bring them home twice a week.

Tap fee of \$5,000 is a little steep, as we had water before being disconnected from it. We can't afford \$1,250 in installment payments to pay for the tap fee.

This being the case Mr. Litrenta asks the board on behalf of Mrs. Bunting if the town would be open to smaller installment plans. If so, the town could then reach out to the Lusks and see what type of payment plan would work for them.

Mr. Litrenta mentions that he has a meeting Mr. DeSouchet at 10 am tomorrow to go over accounting and tax tasks

b. Mayors Report

Mr. Lopez has worked with Mr. Wyatt to develop resolutions to have more order and have more productive meetings. He would like the town to be more objective towards town goals.

c. Trustee Report

Mr. Skoglund says that he would like to mention that the town has board members that have not been acting properly and have been acting slanderous. The town has had code of conduct books in the past. He said that it is creating a liability for the town. He asks that the board moves to remove Mr. Berger from the board via what ever legal process.

The Mayor asks that the board keeps order and that further discussion of order and code of conduct be done later during agenda items. He says we owe it to the town to keep order and keep on task.

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Mr. Studinski says that he has reconciled all accounts, including December 2023, except for one which will take the clerk and himself time to hash out. He also says that he has spent a lot of time on recategorization. He says he has a financial report to give tonight. Mr. Studinski says that Mr. Horsley had put together a box of documents for CIRSA that Mr. Studinski dropped off at CIRSA over the break. Mr. Studinski also says he might be interested in undertaking treasurer responsibilities if possible. He says it looks like the clerk's plate is already full and he thinks he could handle that task. Mr. Reichwald makes a point of clarification that a treasurer cannot sign checks. Mr. Lopez says that he sent out a state statute that says a board member could be the treasurer but it must be done by ordinance.

d. Public Safety Report

Mr. Horsley has spent a lot of time going through resolutions and ordinances. This will help the ordinances and resolutions be more available to the town.

He also spent time organizing documents for CIRSA.

He spent time looking in to grants and he also spoke with Tabitha from the fire department who oversees the fire departments financials and they will be working together to look in to grants for the town and fire department.

He spoke with the special agent for the CBI in this area. Mr. Horsley offered town hall for them to use the restroom and other facilities as needed while in town.

He has also looked in to purchases made on quill and Amazon

7. OLD BUSINESS

a. QuickBooks Update

Mr. Studinski says that he has spent time categorizing QuickBooks and that there is still work to do but also has reports available for the board to review. Mr. Studinski provides the board with a financial overview for the month of December 2023. He says it shows all of the December 2023 transactions. The board reviews and discusses transactions through the month. He also has a 2023 P&L which shows all transactions for the year. He also presents this to the board and they discuss. Both reports are included in the meeting packet. Mr. Studinski explains the layouts of the reports and encourages the board to review at home and develop questions as needed as this report is still a work in progress.

b. Financial Report

Covered during QuickBooks update

c. Budget Update

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Mr. Litrenta lets the board know that he spoke with Randi Sneed from DOLA about going the 90% of previous year route. He was told there is nothing that we need to do it will just apply. However, we won't be able to go over 90% of the previous year unless we adopt a budget, which would be all but impossible to do in 1 month. He also says that once we adopt a budget, we would just submit it as normal. And amend as needed via the amendment process. Mr. Litrenta also sent the signed mill levy to the county commissioners/county as he was not sure if that could be filed without a resolution, just to be safe. He called the county and didn't get a lot of answers other than talk to DOLA but he wanted to cover all bases and send this to the county, since it was completed.

d. Parking Letter Approval

Mr. Lopez reads the letter he wrote to companies at AREA 420 to encourage them to keep the roads clear to enable the town to maintain those roads. The board decides to only send it to companies on Mayor Patricia Reigel Blvd. but it is designed to be able to be sent to any company. Mr. Reichwald asks if there is any penalty attached to non-compliance. He is told by the mayor that there isn't yet because there is no code to enforce. Mr. Reichwald says he would be the first to want to attach penalties if companies do not abide. Mr. Lopez says at the moment it is more of an invitation to work together. Mr. Skoglund would like to continue pushing to get codification done so we can enforce penalties in the future. Mr. Lopez says that hopefully in a few weeks we can revisit this issue after the letters have been sent and received. Mr. Skoglund makes a motion to approve the letter. Mr. Reichwald seconds. All approve. This letter will be sent to all businesses on Mayor Patricia Reigle Blvd. It will be put on town letterhead and then mailed and emailed to the companies.

e. Approval of Bank Signers Resolution

Mr. Lopez presents a resolution for the board to make Mr. Lopez, Mr. Skoglund, Mr. Studinski, and Mr. Berger check signers, however some edits are missing. Mr. Lopez reads the resolution. Mr. Studinski says he is glad that we are now formalizing the two signatures required, as there have been some checks only signed by one person. Mr. Skoglund asks how that happened and it would appear that there were bank signer resolutions done most years and some of those may have only required one signature. Mr. Skoglund makes a motion to approve Resolution 2024-01 with the edits. Mr. Berger seconds. All aye.

f. Interim Clerk/Treasurer Contract Review

Mr. Lopez reads and discusses the contract with the interim clerk. Mr. Litrenta mentions he has some concerns. Mr. Litrenta voices these concerns. The board says that this is a conversation that would need to probably be had between the clerk and mayor and when agreed upon, then presented to the board for review.

8. NEW BUSINESS

a. Code of Conduct Resolution Review

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Mr. Lopez says he worked with Mr. Wyatt on this ordinance to try to develop more order during meetings. Mr. Lopez reads the resolution. Mr. Lopez says this is not for approval but for review. The board asks why it can't be approved tonight. He says he would like feedback either during the meeting or via email and this will enable a more thoughtful development of the resolution, then it can be passed next meeting. Mr. Studinski says that he thought the way Mrs. Justice presented her concerns was done respectfully, and asks if Mr. Lopez feels the same. Mr. Lopez said he will need time to look in to this and give a more thoughtful answer. Mr. Studinski says he also thinks there's a need for public input and asks if there is an avenue for public input and feedback. Mr. Lopez says that the resolution is mostly designed to prevent any personal attacks and any discrimination, and says that we need to focus on critiques rather than personal attacks. The board discusses the resolution and clarifies its intent and all agree that they want to see more order and respect to board members and citizens. Mr. Reichwald says that it is important that as public officials we must allow the citizens to speak and express their opinion. Mr. Lopez again asks for input from trustees via email, and this will be reviewed next meeting.

b. Official Status Resolution Review

Mr. Lopez introduces a resolution which describes all official statuses. He mentions that this is an effort to be more transparent with citizens. Mr. Lopez reads the resolution. Mr. Lopez asks the board to review the resolution and provide feedback during the week to possibly adopt the resolution at next meeting. The board discusses that we may change the official newspaper to the Saguache Crescent. Mr. Reichwald says that the most important publishing locations are town hall, Dollar General, the Post Office, and online. Mr. Litrenta says the only newspaper postings he is aware of is public hearings. Mr. Lopez again asks the board to review and provide feedback via email to potentially adopt next meeting.

c. Draft Hearing Procedure Resolution Review

Mr. Lopez provides the board with another draft resolution which describes the repercussions if trustees were to break the code of conduct. Mr. Lopez reads the resolution. The draft resolution, which is included in the meeting packet outlines timelines and procedures for public hearings addressing accusations and removal for code of conduct violations. Mr. Reichwald says that any individual that is subject to potential removal should have more than 10 minutes to respond, he believes that the accused should have time to respond to each allegation. Mr. Reichwald also confirms that the citizens of the town would also have to submit accusations three days prior to hearing, to the clerk. Mr. Lopez confirms and says he likes the idea of giving the accused more time to respond. Mr. Studinski says he worries about time limits during these hearings. Mr. Skoglund says he worries about the "not pointing fingers" because there does need to be a way of saying an individual broke the code of conduct. Mr. Lopez says his intent is to give constructive criticism with out slandering or disrespecting or being rude to the characteristics of the person. Mr. Berger says that he is concerned about conflicts of interest during public hearings. Mr. Berger says any conflict of interest should be brought to the citizens attention. Other board members inquire as to how this would happen as these would be personnel matters? The mayor says he will look in to this for next meeting. The mayor would also like to give the accused time to speak after the accusations have been made publicly. The board also does not like the idea of putting a time limit on the proceeding to include trustee questions. The mayor explains that this Town of Moffat is inviting you to a scheduled Zoom meeting.

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would be for everyone to have the ability to ask questions, both the public and trustees, in the same manner. The board confirms that anyone making an accusation should submit their accusation and evidence to the clerk 3 days prior to the public hearing. Mr. Skoglund asks if the accused needs to bring anything? Mr. Lopez says he doesn't think so. Mr. Lopez would like to receive feedback from the board via email during the week and then look to incorporate that feed back and possibly approve the resolution next meeting.

d. Mayor Pro Tem

The mayor discusses that the town needs a Mayor Pro Tem and he thinks that Mr. Studinski would be the right fit for this role. Mr. Studinski asks if he can do that and also be the Treasurer? The board does not think this would be an issue. Mr. Studinski says he would like time to think about this. The board respects that and agrees to add this to the next agenda

9. **EXECUTIVE SESSION**

The mayor reads the executive session request. Mr. Studinski makes a motion to enter executive session. Mr. Berger seconds. All aye.

The board ends all recordings and enters executive session to discuss staffing concerns.

Mr. Skoglund makes a motion to adjourn the executive session. Mr. Kunkler seconds. All aye.

10. **ACTION ITEMS FOR NEXT MEETING**

Mr. Litrenta:

- Continuing working on budget, financials, and office organization
- Receive water option documents
- Send out parking letters both mail and email, on letterhead
- Complete and sign bank Signers Resolution
- Work with the Mayor to agree on interim clerk contract

Board Members:

- Review monthly financials provided
- Review and send feed back to the Mayor for Code of Conduct Resolution, Official Status Resolution, and Draft Hearing Procedure Resolution
- Mr. Studinski will transfer \$500 from General Funds to Debit & Checking for office supplies
- Mr. Studinski will continue working on organizing QuickBooks and developing quality reports

Mayor Lopez:

- Work with clerk to agree on interim clerk contract

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- Receive and incorporate feedback from board members on Code of Conduct Resolution, Official Status Resolution, and Draft Hearing Procedure Resolution and amend resolutions as needed to next meeting for approval
- Look in to conflicts of interest with regards to public hearings regarding removal of public officials

11. **TOPIC FOR NEXT MEETING**

Water Update / Confirmation of receipt of potential town water options
Budget / Financial Update
Interim Clerk Contract
Code of Conduct Resolution
Official Status Resolution Approval
Hearing Procedure Resolution
Designation of Mayor Pro Tem
Trustee Compensation for time spent working with town

12. **ADJOURN**

Mr. Skoglund makes a motion to adjourn. Mr. Kunkler seconds. All approve

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