

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



**TOWN OF MOFFAT | EST. 1911**

**BOARD OF TRUSTEES SPECIAL MEETING**

**February 27th, 2024 - 6:00pm**

**1. CALL TO ORDER**

Mayor Lopez calls the meeting to order at 6:01pm.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Mayor Lopez announces there is a quorum

Trustee 1 – Skoglund

Trustee 2 – Berger

Trustee 3 – Kunkler

Trustee 4 – Studinski

Trustee 5 – Reichwald (Remote)

Trustee 6 – A. Lopez (Remote)

STAFF PRESENT

Mr. Horsley

Mr. Litrenta

**4. APPROVAL OF AGENDA**

a. Approval of Agenda

Mr. Studinski makes a motion to approve the agenda. Mr. Kunkler seconds. Motion passes 6-0

b. Approval of Minutes

Mr. Skoglund makes a motion to approve the minutes from the 5 previous meetings. Mr. Studinski seconds. Motion passes 6-0.

c. Approval of Payment of Bills

No bills to pay. Included in agenda in error.

**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

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Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

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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.

No public comment.

## 6. REPORTS

### a. Clerks Report

Mr. Litrenta says that Xcel Energy has asked to obtain a Right of Way permit to drop a power pole on Lincoln Ave. Mr. Litrenta asks the board if the town has an such application? The town does not.

Mr. Litrenta lets the board know that he gave all excise tax information he could find over to the attorney for review.

Mr. Litrenta lets the board know that he added a water section to the town website and placed the timeline and the proposal on the web page.

Mr. Litrenta presents to the board checks he found in the office and asks for guidance on how to proceed with handling the checks.

Mr. Litrenta lets the board know that he was able to reschedule and consolidate appointments and was in the office on 2.23.2024, but that he will be out of the office at appointments on March 6<sup>th</sup> & 7<sup>th</sup> 2024, but will have email access.

### b. Mayors Report

Mr. Lopez apologizes for an issue with agenda items and is looking to develop more productive meetings.

Mr. Lopez informs the board that Zack Reuter has offered the town \$10,000 to buy the old bank property.

### c. Trustee Report

No report given by the Trustees.

### d. Public Safety Report

Mr. Horsley says he has talked to the attorney regarding the election and that no citizen has submitted interest in running as a trustee. He says the election can be canceled. Thus, the board will hold over as appointed and not elected. Mr. Horsley discusses the election and term process. He states the board will have 3 open positions that need to be filled.

### e. Budget/Finance Report

Mr. Litrenta presents and discusses with the board a draft budget. This draft is included in the meeting packet.

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Mr. Horsley informs the board that there are ordinances and resolutions that need to be filed with the county and this will cost about \$1000

**7. OLD BUSINESS**

- a. Vote on the CDPHE Water System Implementation Plan Timeline

Mr. Skoglund makes a motion to approve the CDPHE Water System Implementation Plan Timeline, with the edits of a date change to Jan. 24<sup>th</sup> 2024. Mr. Reichwald seconds. Motion passes 6-0.

- b. Draft Resolution Review for Agenda Procedure

Mr. Lopez spoke with the attorney and the attorney sent Mr. Lopez a draft policy of code of conduct for review. The attorney suggested we adopt a more comprehensive code of conducts that covers all elements in one document, rather than piecing together different codes of conducts addressing different situations and issues. Mr. Lopez discusses if the board would like to have a public comment at the end of the meeting as well.

- c. Discussion and Consider Taking Action on Mr. Studinski Treasurer Contract

Mr. Lopez discusses Mr. Studinski treasurer contract. Mr. Lopez asks Mr. Studinski about insurance needs. Mr. Berger makes a motion to approve the consultant contract, which will be signed by Mr. Lopez, with Mr. Studinski at \$30/hr. to include insurance coverage of up to \$1M dollars which would be paid monthly at \$41.65. Mr. Kunkler seconds. Mr. Studinski recuses. Motion passes 5-0.

**8. NEW BUSINESS**

**9. EXECUTIVE SESSION**

The Town Board may, upon 2/3 vote of the Town Board, convene into Executive Session pursuant to C.R.S §§ 24-6-402(4)(a) and (e) to discuss:

- a. negotiation of the existing Water Resources Agreement between Potch, LLC and the Town of Moffat, including discussion of the potential purchase, acquisition, lease, transfer or sale of real, personal, or other property interests of the Town of Moffat related thereto.

Mr. Lopez, Mr. Skoglund, Mr. Horsley, Mr. Reichwald, Mrs. Lopez, and Mr. Litrenta disclosed their professional interactions with POTCH LLC as potential conflicts of interest.

Mr. Reichwald makes a motion to enter into Executive Session pursuant to C.R.S §§ 24-6-402(4)(a) and (e) to discuss negotiation of the existing Water Resources Agreement between Potch, LLC and the Town of Moffat, including discussion of the potential purchase, acquisition, lease, transfer or sale of real, personal, or other property interests of the Town of Moffat related thereto. Mr. Studinski seconds. Motion passes 6-0.

Mr. Skoglund makes a motion to end the executive session and return to the regular meeting. Mr. Berger seconds. Motion passes 5-0. Mr. Reichwald was absent.

**10. ACTION ITEMS FOR NEXT MEETING**

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- Board will review and develop questions about budget
- Board will review water agreement documentation
- Mr. Lopez will reach out to Mr. Reuter
- Mr. Horsley will develop a resolution canceling the election
- Mr. Horsley will work with attorney the understand a hold over trustee
- Mr. Studinski will close the CD accounts in to the proper accounts
- Mr. Horsley will work on marijuana ordinance
- Mr. Berger will reach out to Mr. Weiss about well ownership and power bill
- Mr. Studinski will develop a billing procedure
- New procedures for licenses and permits

#### 11. TOPIC FOR NEXT MEETING

- Next meeting will be 3.12.2024
- Budget discussion
- Executive session to discuss water contract and agreement with POTCH LLC

#### 12. ADJOURN

Mr. Skoglund makes a motion to adjourn. Mr. Studinski seconds. Motion passes 5-0. Mr. Reichwald was absent.

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