

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES SPECIAL MEETING

February 6th, 2024 - 6:00pm

1. CALL TO ORDER

Meeting called to order at 6:00pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor Lopez announces that there is a quorum. Trustees present are:

Trustee 1 – Skoglund

Trustee 3 – Kunkler

Trustee 4 – Studinski

Trustee 5 – Reichwald (Attended remotely after the start of the meeting)

Trustee 6 – A. Lopez

Trustee 2 – Berger, was not present at the meeting.

Staff present are:

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 4-0.

b. Approval of Minutes

Mr. Skoglund makes a motion to approve the meeting minutes from 1.30.2024. Mr. Studinski seconds. Motion passes 4-0

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

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Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

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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 citizens addressed the board during this item.

6. REPORTS

a. Clerks Report

Mr. Litrenta asks the board what we would need from citizens who want to file a new address in town? Would we want a deed? Mr. Wyatt said that the town should require a filed plat, sealed survey and/or a deed with descriptions of the boundary lines. To that point we also should develop an application for this. The board asks that this topic be put on the next agenda.

Mr. Litrenta lets the board know that he thinks we need a new printer and he presents the board with a quote from WSB computer and explains this is the cost of the printer, not installation or set up, which we would also probably need. The board asks that this topic be put on the next agenda.

Regina Schwartz from the county sent a email to the town stating that there are lights on at AREA 420. The clerk asks for guidance on how to proceed and resolve this issue. The mayor asks that the clerk forward the email to him for review.

b. Mayors Report

Mr. Lopez gave the attorney the questions asked by the board in the previous meeting. He is waiting for a response and will communicate the responses next meeting

c. Trustee Report

Mr. Kunkler says that the town should look in to replacing and managing the stops signs in town.

Mr. Skoglund spoke with Mr. Spindor of the planning commission and the plan is to start having planning commission meetings at the beginning of March.

Mr. Studinski gives the board the December financial report to review before next meeting. He also plans on having all of 2023 financials for review at the next meeting.

d. Public Safety Report

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Mr. Horsley is continuing to work with CIRSA and Municode. He mentions that Ordinance 2023-01 addresses light pollution at AREA 420. He also mentions that there are Ordinances and Resolution that are in conflict and we should go through and addresses these discrepancies.

7. OLD BUSINESS

a. Garfield/Well #5 Connection Letter Proposal & Tap Fee Discussion

Mrs. Bunting drafted letters to present to the board for approval. These letters address the challenge of citizens affording tap fees, thus enabling residents to get water to their residence. The board discusses how to set up a water service account (This is discussed in the letters) and discusses a timeline for getting water to these citizens. Mr. Skoglund makes a motion to amend the letters to say the water service account will be set up by May and mail them to the residents. Mrs. Lopez seconds. Motion passes 5-0.

b. Signing of 2023 HUTF Road/Milage Report

Mrs. Justice spoke to the clerk after speaking to Mr. Skoglund, and stated that because the roads are not up to spec, the town cannot adopt them, so the town cannot claim them on the HUTF report. Mr. Litrenta confirmed this with HUTF. Mr. Litrenta presents the HUTF report to the board for signing. The mayor signs and approves.

8. NEW BUSINESS

a. Signing of MOUs of Control for the State

Mr. Litrenta states that these are documents assigning one person authority to view confidential data such as tax information. Mr. Litrenta says that he would be willing to be this person but he has concerns because it asks for an employee and he is not considered an employee. Furthermore, he is concerned that without knowing if he has proper CIRSA and legal protection, he could potentially open himself up to litigation which he wants to avoid. The board agrees to wait until the clerks contract is completed to assign the clerk this responsibility and sign these documents.

Mr. Skoglund makes a motion to have the attorney draft a resolution to appoint Mr. Litrenta an employee of the town. Mr. Kunkler seconds. Motion passes 5-0.

b. Review of Excise Taxes & MJ Ordinance

The board, clerk, and public safety manager discuss Marijuana Excise Tax issues. The most prominent issue the clerk sees is that there is confusion on what the excise tax rate is, he also explains the challenges of tiered excise tax rate. Mr. Litrenta also says we need to clarify which facilities pay excise. Specifically do MIPs pay excise? The board has asked Mr. Litrenta to engage the attorney to discuss these issues and get clarification and report back to the board.

9. EXECUTIVE SESSION

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As per C.R.S. 24-6-402 4(f) – For personnel Matters & C.R.S. 24-6-402 4(b) – For Receiving Legal Advice, the board is considering Executive Session. Mr. Studinski makes a motion to enter Executive Session to discuss the above matters. Mr. Skoglund seconds. Vote Passes 5-0. The Board enters Executive Session at 8:01pm.

The Board Exits Executive Session at 8:50pm. No action was taken during Executive Session.

10. **ACTION ITEMS FOR NEXT MEETING**

- Send Mr. Lopez email from Regina Swartz
- Mr. Litrenta will reach out to the attorney to discuss the excise tax issue, who pays, and begin a dialog about marijuana ordinance.

11. **TOPIC FOR NEXT MEETING**

- Discussion of assigning addresses
- Discussion of buying a new printer
- Town meeting resolution draft review
- Financial Report

12. **ADJOURN**

Mr. Skoglund makes a motion to adjourn the meeting at 8:54pm. Mr. Studinski seconds. Motion passes 5-0.

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