



TOWN OF MOFFAT | EST. 1911

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

BOARD OF TRUSTEES SPECIAL MEETING

January 30, 2024 - 6:00pm

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

Mr. Lopez
Mr. Kunkler
Mrs. Lopez
Mr. Reichwald (Remote)
Mr. Skoglund
Mr. Berger (Late)
Mr. Studinski

Staff
Mr. Horsley
Mr. Litrenta

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

Mr. Studinski requests to add a topic of Election Discussion to new business. Mr. Studinski makes a motion to approve the agenda with the requested amendment. Mr. Skoglund seconds. All aye.

- b. Approval of Minutes

Mrs. Lopez makes a motion to approve the past 4 meeting minutes. Mr. Skoglund seconds. All aye.

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

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

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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.

Mr. Zach Reuter says he has been looking for storage and is interested in the old bank building that the town owns. He also says that he has carpentry experience that he could use to develop the building.

6. REPORTS

a. Clerks Report

Mr. Litrenta tells the board that we need to review his contract as he is concerned that he could potentially not be covered by CIRSA and thus be exposed to a lawsuit.

Mr. Litrenta tells the board he may not get the minutes done by COB tomorrow as he has to go deposit money in the bank tomorrow.

Mr. Litrenta tells the board that he met with Mr. Wyatt today to go over roles for accepting applications. According to Ordinance, applicants will need to submit, a deed, lease (if needed), and a copy of their state application or license.

Mr. Litrenta says that the town really needs to review the cannabis ordinance again to ensure all processes and applications are what the town is looking for. To that point he tells the board that we need to definitively decide what the excise tax is, as the ordinance, the elections, what people were told, and what people are paying are all different things.

b. Mayors Report

Mr. Lopez says that he spent a lot of time reviewing the water proposals

c. Trustee Report

Mr. Skoglund asks we are going to have a water proposal working session? Mr. Lopez says that we will discuss it tonight as it is on the agenda.

d. Public Safety Report

Currently Mr. Horsley is in communication with our Codification Team at Civic Plus, and expects an update this week in regards to where the Town is in the process and where the Town needs to go.

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Mr. Horsley is working with Saguache Clerk's office to ensure the Town is in compliance with our upcoming Election in April.

Mr. Horsley has been contacted by Erik Martinez regarding his licenses, and receipts where Mr. Martinez paid for them. I was able to provide him with receipts from where OG Farms has paid. Mr. Martinez claims to have never been issued any licenses after he made payment. Mr. Horsley suggests the Board needs to address this; such that we have guidance in the office on how to proceed. Mr. Martinez is requesting a letter stating that he did pay for the licenses and was never issued them.

Mr. Horsley emailed the Board of Trustees today and needs a reply sooner than Feb 2nd in regards to their terms of office; specifically, when each of them were elected.

Mr. Horsley is attending training along with Don Studinski on Feb 2nd in Saguache for Election Judges. This training is followed up with a meeting that will be held between Mr. Horsley and Ms. Dominique White in regard to our elections.

Mr. Horsley has been looking in to missing road signs.

The board authorizes Mr. Horsley to contact the town attorney in regard to information on missing licenses.

7. OLD BUSINESS

a. Update on search for a payroll tax accountant

Mr. Studinski says he and the clerk have made progress on categorizing in QuickBooks. Mr. Studinski said he has spent a lot of time with Sandy who has been on call to help with any questions. The board agrees to ask for a refund of the retainer to Mr. Desouchet. And Mr. Studinski will work on trying to complete all required taxes as well as continue to work on the Budget. Mr. Studinski also lets the board know that there have been some expenses incurred when trying to complete 1099's.

b. Signing of 2023 HUTF Road/Milage Report

Mr. Litrenta asks the board if POTCH LLC or the town is responsible for maintenance on the new roads in AREA 420 Phase 2, as this is needed for our yearly HUTF report. Mr. Skoglund speaks to the board as a member of Skoglund Excavating, not a Trustee. He says that the roads are pit run and not road base and there is minimally a way to maintain those roads. Mr. Lopez will contact the developer and notify her that the town would like to have the roads up to specs before the town takes responsibility for them. As it stands, the board thinks that this could wait until next year if need be. Mr. Litrenta will ask Mrs. Justice if she has deeded the roads to the Town of Moffat. This discussion will continue next week and the town will invite Mrs. Justice.

c. Water System Discussion

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Denna from GMS presents a slide show discussing a timeline and options for the water system proposal. The board continues to discuss the water system proposal. Mrs. Bunting asks the board if she can start getting Iron and Manganese samples which will be \$40 a month. Mr. Studinski makes a motion to approve Mrs. Bunting getting these two new samples. Mr. Skoglund seconds. All aye. Mrs. Bunting expresses concerns that residents on well #5 do not have water and she would like to develop a way to get them water. She mentions possibly grandfathering customers in or eliminating or allowing better rates for existing customers. Mrs. Bunting will draft a letter to present to the board, that will provide more leniency regarding payment of tap fees.

d. Trustee Studinski Treasurer Contract

The board reviews Mr. Studinski's draft contract. There are concerns about legal protection, and there are concerns about conflict of interest that the town will look get answered. Mr. Lopez will forward the contract to the attorney to address concerns. Mrs. Lopez makes a motion to forward the contract to the attorney to work with Mr. Studinski directly to finalize the contract. Mr. Berger seconds. Mr. Studinski recuses. All others aye.

8. **NEW BUSINESS**

a. Revising Konope's Contract

The board reviews Konope's contract. Mr. Lopez says the only major change is \$1000 a year to cover travel expenses. The board discusses the contract. Mrs. Lopez makes a motion to approve Konope's new contract. Mr. Reichwald seconds. Mr. Berger votes no. All other aye.

b. Possible Sale of the old Town of Moffat Bank

Mr. Lopez wanted to ask the board if they are interested in receiving any offers on the building. Mrs. Lopez and Mr. Reichwald says they would be interested in offers. Mr. Skoglund says he just wants to make sure it is done right and would like to be fair to the locals that would be interested. Mr. Lopez will get with the attorney to understand what this process will be.

c. Vacation of Alley on Block 80

Mr. Litrenta tells the board that Mr. Kelley Smith would like to vacate an alley on Block 80 and asks the board what the process is for this. Mr. Smith confirms he owns the shole block and will bring proof of ownership to the town, specifically tax statements. The mayor tells Mr. Smith this may take a few weeks but once ownership is proven the town will draft a resolution and add it to the agenda

d. Discussion of Potential New Commercial Building Permit

Mr. Litrenta mentions that there are items on the building permit that don't really make sense. He provides the board a proposed new simpler permit application but the town would prefer to keep using the existing application.

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e. Election Discussion

Mr. Studinski mentions that a 6-member board seems like a lot and asks if 4 would make more sense? The board discusses what it would take to have a 4-person board. The board also discusses who is terming out and who needs to be put on the ballot. Mr. Lopez will ask the attorney about the process of reducing the number of board members. Mr. Horsley will collect information on current board members terms and who all needs to go on the ballot.

9. **EXECUTIVE SESSION**

No executive session was convened.

10. **ACTION ITEMS FOR NEXT MEETING**

- Clerk will contact Mr. Desouchet to ask for retainer refund
- Ask POTCH LLC for deed of roads in phase 2 and invite POTCH to next meeting
- Mr. Litrenta and Mr. Lopez will work on Mr. Litrenta's contract
- Mr. Studinski will start working on 940/941
- Mr. Lopez will contact the attorney about potential sale of the old bank building
- Mr. Lopez will forward Mr. Studinski's contact to the attorney to review with Mr. Studinski
- Mr. Lopez will ask the attorney about the process to reduce the board from 6 to 4 members

11. **TOPIC FOR NEXT MEETING**

- Signing of MOU's of Control for the State
- Review of Excise Taxes and Marijuana Ordinance
- Continue discussion of HUTF roads
- Garfield/Well #5 connection letter review

12. **ADJOURN**

Mr. Skoglund makes a motion to adjourn. Mr. Studinski seconds. All aye.

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