

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES REGULAR MEETING

March 14th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:08pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor Lopez announces there is a quorum

Trustee 1 – Skoglund

Trustee 2 – Berger (Remote)

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

b. Approval of Minutes

Mr. Studinski makes a motion to approve the meeting minutes from 2.27.2024. Mr. Skoglund seconds. Motion passes 6-0.

c. Approval of Payment of Bills

Mr. Skoglund makes a motion to approve the bills. Mr. Studinski seconds. Motion passes 6-0.

5. PUBLIC COMMENT

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122

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.

No public comment.

6. REPORTS

a. Clerks Report

Ms. Reigel has asked the clerk to ask the town to plow out the church if possible. The board says it is private property.

Mr. Litrenta follows up on an email he sent to the board announcing Mr. Spindor's resignation as the chair of the Planning and Zoning Committee.

Mr. Litrenta let the board know that in regards to some of the checks he found in the office, he checked with the bank and both Skoglund Excavating and Trustee Kunkler have been paid in full.

Mr. Litrenta lets the board know that our yearly elevator inspection is scheduled for March 26th and that this year is our 5-year inspection, and requires a more detailed inspection so this year the cost will be \$1200 instead of \$1000.

b. Mayors Report

Mr. Lopez says he has been working on reviewing the preliminary water report from GMS, CORA requests, town procedure, water matters, and agenda procedure. He has also spent some time looking in to geothermal and asks if the town might be interested in a farmers market this summer and this is something he will be looking in to.

c. Trustee Report

Mr. Skoglund would like to ask that we go forward with the removal of Trustee Berger.

Mrs. Lopez says the trash cans at the park are full and asks who that is? It was supposed to be our maintenance personnel but they have been missing.

Mrs. Lopez also informs the board that she will be resigning in April and she can stay awhile past that as needed, but wants to make sure the board remains intact. The town says they are waiting on a response from the attorney to understand where the board is so far as elections and board terms.

Mr. Kunkler says there is a house in town that has a lot of trash in their yard and asks if there is anything that the town could do to address that issue. The board would like Mr. Horsley to write a letter to the residents and would like to review the letter before it is sent out.

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122

d. Public Safety Report

Mr. Horsley says that he has been trying to get in to storage below Town Hall but we do not have keys. The board tells him he can cut the lock and replace it.

Mr. Horsley says that he spoke with the attorneys regarding elections and they should be providing guidance on elections status and procedure soon.

Mr. Horsley says that we had a CIRSA inspection and that there are things we can do to give us credits towards future fees. Mr. Horsley discusses the inspection and provides solutions. The report is available for review in town hall.

Mr. Horsley provided 109 documents to municode. There is no new fee but it will be \$1200 a year. These should be all of the outstanding ordinances and resolutions

Mr. Horsley has confirmed with the county that there is no icounty requirements for codification.

Mr. Horsley sent an email to the town regarding law enforcement in the town and his recommendations.

e. Budget/Finance Report

Mr. Studinski presents and discusses the monthly P&L with the board.

7. OLD BUSINESS

a. Water Report/Update

Mrs. Bunting gives water report. Water report is in the meeting packet.

The board discusses the letters about tap fees. Mr. Skoglund makes a motion to approve the amended water fee schedule. Mr. Reichwald seconds. Mr. Studinski votes nay. Mr. Reichwald, Mr. Skoglund, Mr. Kunkler, Mrs. Lopez and Mr. Berger vote yay. Motions passes 5-1.

Mr. Studinski makes a motion that Mrs. Bunting communicate with the attorney to update the water service application to include language addressing tap fees and payment plans, this update will replace letters and contracts. Mr. Kunkler seconds. Motion passes 6-0.

b. Discussion and Consider Taking Action on Resolution Establishing Clerk as Permanent Employee

The resolution is not developed this topic is tabled.

c. Discussion of Mr. Horsley Contract and Duties

Mr. Horsley discusses his desire and qualification as an assistant clerk and presents his proposed contract to the board to discuss. The board discusses the position and proposed contract. Mr. Berger makes a motion to postpone the conversation about Mr. Horsley's contract until next week. There is no second. Mr. Skoglund makes a motion to accept the \$32/hr. pay and update the job description and title to include the time period

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122

specified to be 4 months, at which time a review will take place. Mr. Studinski seconds. Mr. Berger and Mrs. Lopez vote nay. Mr. Skoglund, Mr. Studinski, Mr. Reichwald and Mr. Kunkler vote yay. Motion passes 4-2.

8. **NEW BUSINESS**

a. Discussion of POTCH LLC Refund

Mr. Lopez gives Mrs. Justice the floor to discuss her request for a refund for fees and payments. Mrs. Justice says she wants the refund because the fees were not codified. Mrs. Justice will have her attorney draft a letter to give to the town attorney for review.

b. Discussion and Consider Taking Action on Resolution Adopting Mill Levy

Mr. Skoglund makes a motion to adopt Resolution 2024-05 Levying General Property Taxes for the Year 2024. Mr. Reichwald seconds. Motion passes 6-0

c. Discussion and Consider Taking Action on Resolution to Appropriate Sums of Money

This resolution is missing. This item will be tabled until next meeting.

d. Discussion and Consider Taking Action on Resolution Approving Budget

Mr. Kunkler makes a motion to adopt Resolution 2024-06 Summarizing Expenditures and Revenues and Adopting the 2024 Budget for the Town of Moffat for the 2024 Calendar Year. Mr. Skoglund seconds. Motion passes 6-0.

e. Discussion of approving minutes via email

Mr. Studinski asks if the town could approve minutes via email. The board says they cannot approve via email due to sunshine laws and they want to keep the current process in place. This topic is resolved.

f. Discussion of Closure of the Capital Account and ASB

Mr. Studinski explains that we have a Capital Account with no transactions and asks if he can close the account. The board would like to keep that account open so it can be used at a later date if needed.

g. Discussion and Consider Taking Action on Discontinuing of ACH and Business Banking Services at Alamosa State Bank

Mr. Litrenta presents and discusses with the board the ACH Rule Book Fee, ACH Fee, and the Direct Deposit Fee and asks if the board still wants to keep these features. Mr. Studinski says the town does not need these features. Mr. Skoglund makes a motion discontinue the ACH feature, Direct Deposit feature & Business Banking feature at Alamosa State Bank. Mr. Studinski seconds. Motion passes 6-0. Mr. Litrenta presents the board with a letter to sign authorizing this closure. The Trustees sign the letter.

h. Discussion of Management of Zoom Chat Log

Mr. Studinski mentions that he would like for the town to still monitor the zoom comments and Mr. Studinski will review these comments and add them to the town to do list as needed. The board discusses public

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122

contribution to the meetings and when the public can speak. They also discuss options for zoom comments in the future. Mr. Studinski makes a motion that the town eliminate zoom comments from town meeting. Mrs. Lopez seconds. Motion passes 6-0.

The board enters executive session at 9:21pm.

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:

Mr. Studinski makes a motion to enter 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, and for the discussion of payments made by the Town in connection with the Water Supply Agreement between Kelly Smith and the Town of Moffat executed on August 8, 2018. Mr. Skoglund seconds. Motion passes 6-0.

The Board of Trustees enters executive session.

- 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.
- b. Discussion of payments made by the Town in connection with the Water Supply Agreement between Kelly Smith and the Town of Moffat executed on August 8, 2018.

Mr. Skoglund makes a motion to end executive session. Mr. Studinski seconds. Motion passes 6-0.

The board ends executive session at 10:13pm.

10. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Horsley and Mr. Litrenta will work on developing a letter to address blight at a residence in town. They will present this letter to the board before sending it out
- Mrs. Bunting will communicate with the attorney to update the water service application to include language addressing tap fees and payment plans
- Mr. Lopez will develop the resolution assigning Mr. Litrenta as the permanent clerk
- Mr. Lopez will reach out to the attorney to discuss the appropriate steps to remove Trustees

11. **TOPIC FOR NEXT MEETING**

- Discussion of fees and excise taxes
- CORA Request Procedure
- Discussion and Consider Taking Action on Resolution to Appropriate Sums of Money

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122

12. **ADJOURN**

Mr. Skoglund makes a motion to adjourn. Mr. Kunkler seconds. Motion passes 6-0.

Town of Moffat is inviting you to a scheduled Zoom meeting.

Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/86422578056?pwd=c3RVdWFLZEJDN2ZjdmxiTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122