

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES REGULAR MEETING

March 26th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:04pm.

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 6 – A. Lopez

STAFF PRESENT

Mr. Horsley

Mr. Litrenta

4. APPROVAL OF AGENDA

a. Approval of Agenda

Mr. Lopez would like to remove Old Business b. and the Executive Session topic. He also notifies the board that he will abstain himself during Old Business c. Mrs. Lopez makes a motion to approve the agenda with the requested amendments. Mr. Skoglund seconds. Mr. Berger votes no. Mr. Studinski, Mr. Skoglund, Mr. Kunkler, and Mrs. Lopez vote yes. Motion passes 4-1.

b. Approval of Minutes

No meeting minutes to review.

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

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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 asks the board if we should refund a license renewal late fee as Mr. Litrenta was not aware that there was a late fee charge for licenses and has not been charging late fees. This is specifically in relation to Ubals Company. The board asks that this item be put on the next agenda.

Mr. Litrenta lets the board know that the budget and CTF report have been submitted to the state.

Mr. Litrenta updates the board on the excise tax status. He says so far as the attorneys can tell the excise tax rate should be 2%, 3% and 5%. The board must decide if they want to collect back taxes. The attorneys are now looking in to what our options are to correct or simplify the tax situation, to include whether we can charge a flat fee.

Mr. Litrenta says the LLA is saying that there is nothing in any ordinance or resolution saying that the town should require a building permit. As such the LLA is saying they have no authority to approve building permits. We have several pending building permits that have been unaddressed for months, many of them need to build soon to catch the season. The board will review building permits next meeting.

Mr. Horsley is waiting for the Attorneys to give a final report on elections.

Mr. Horsley is helping Mr. Litrenta with auditing our Ordinances & Resolutions.

Mr. Horsley extends his appreciation for the Fire Department in containing the house fire over the past week.

Mr. Horsley states that Neighbors Helping Neighbors is collecting donations for Mrs. Myers.

Mr. Litrenta presented a bill for an internet domain from Master Print & Web Design Inc. Mr. Litrenta asks if the board would like to keep the domain. The board confirms that they do and ask that Mr. Litrenta include it in the next bills.

b. Mayors Report

No report to give.

c. Trustee Report

Mrs. Lopez asks what the status is about term limits. Mr. Horsley explains we are waiting on final clarification from the attorney, but explains the difference between appointments and elections. Mrs. Lopez says she would be willing to stay on the board until possibly May if needed.

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Mrs. Lopez distributes a project planner to the board and discusses the planner with the board.

Mr. Skoglund says he would like to see Trustee pay eliminated due to the budget issues. He asks if it can be included on a future agenda.

Mr. Berger would like to give condolences to the people that lost their lives in his home town of Baltimore in bridge collapse.

7. OLD BUSINESS

a. Water Update and Discussion

Mrs. Bunting says there is a lead service line inspection required by October. There are grants available but they must be submitted by April 9th. She says it should only be one hole to inspect so we are OK not going after the grant

Mrs. Bunting reached out to the water engineers about how confident they are that requiring a tap fee for citizens could be eliminated. She feels that this could simplify fee schedule and enable citizens to get hooked up to water sooner. She is still waiting to hear back.

Mrs. Bunting gives a presentation about Moffat becoming a public water system. She explains the landscape and roles of state water agencies as well as the issues facing Moffat to become compliant with DWR regulations and topics for consideration in moving forward with an amended or new Potch contract.

b. Discussion of Refund to POTCH LLC

Removed from Agenda.

c. Discussion of Removal of Trustee Berger

Mr. Lopez has abstained himself from the discussion. Mr. Studinski Mayor Pro Tem was activated during this topic. The board discusses their opinions on removal of Mr. Berger from the board of Trustees. Mr. Skoglund makes a motion to remove Trustee Berger. There is no second.

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

Mr. Lopez returns, and takes back Mayor seat. The board discusses the draft resolution appointing Mr. Litrenta as permanent clerk. Mr. Litrenta had identified language he would like to revise. Mr. Litrenta will work with the attorney to finalize the employment resolution.

e. Discussion and Consider Taking Action on Address Assignment Application/Process

Mr. Litrenta provides the board with a draft application to assign addresses. He explains all entities that need to be notified as communicated by Caitlin Bernier. He also communicates we need to require certain documents establishing ownership of the land. The board will review the application and provide feedback on the application and ownership documents. Mr. Litrenta will reach out to E911 about costs for informing them of new addresses. Mr. Litrenta will look in to the status of address assignments on AREA 420 Phase II.

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f. Discussion and Consider Taking Action on Resolution for Meeting/Agenda Procedure

Mr. Lopez has not had time to work on this item. However, he asks for input on how agenda items should be added. The board discusses how the clerk places items on the agenda.

8. **NEW BUSINESS**

a. Discussion of Fees and Excise Taxes

Mr. Litrenta provides the board with a fee schedule and discusses that we need to possibly amend fees to cover costs. Mr. Litrenta will review and provide recommendations for fees.

b. CORA Request Procedure

Mr. Litrenta and the board discusses excise tax fees and procedure. At the moment the town can charge \$30/hr. after the first hour. Mr. Lopez will further look in to CORA Request statutes and procedures.

c. Discussion of Delegation of Tasks to Clerk

As per statute, the clerk is should report to that Mayor. However, Mr. Lopez will research this topic further to provide more guidance.

d. Discussion of Checks Found in Office

Mr. Studinski makes a motion that checks #1088 from US Bank, #1098 from Alamosa State Bank, #6052 from 1st Southwest Bank, and #1095 from Gunnison Bank be shredded. Mr. Berger seconds. Motion passes 5-0.

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.

Removed from Agenda.

10. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Litrenta work with the attorney on his employment resolution
- Mr. Litrenta will confirm E911 status and address status of AREA 420 Phase II
- Mr. Litrenta will call E911 to inquire about costs of new addresses
- Mr. Litrenta will provide recommendations on fees
- Board will review address application and land ownership documents and provide feedback at the next meeting
- Mr. Lopez will review CORA request procedure
- Mr. Lopez will review reporting and chain of command procedure for clerk

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11. TOPIC FOR NEXT MEETING

- Discussion of applying late fee for Ubals Company
- Review and consider approval of pending building permits
- Discussion and consider taking action on elimination of trustee pay
- Discussion of address application
- Discussion of excise tax status and options
- Discussion and consider taking action on a resolution cancelling the election

Mr. Berger makes a motion to approve the topics for the next meeting. Mr. Kunkler seconds. Mr. Studinski recuses. Mr. Berger, Mrs. Lopez, Mr. Skoglund, and Mr. Kunkler vote yes. Motion passes 4-0.

12. ADJOURN

Mr. Berger makes a motion to adjourn. Mrs. Lopez seconds. Motion passes 5-0.

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