

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES REGULAR MEETING

April 23th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:02pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor Lopez announces that there is a quorum.

Trustee 2 – Berger (Remote)

Trustee 3 – Kunkler

Trustee 4 – Studinski

Trustee 5 – Reichwald (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 4-0.

b. Approval of Minutes

Item tabled.

c. Approval of Payment of Bills

Mr. Lopez reads the bills publicly. Mr. Studinski makes a motion to pay the bills. Mr. Kunkler seconds. Mr. Berger votes Nay. Mr. Kunkler, Mr. Studinski and Mr. Reichwald vote Yay. Motion passes 3-1.

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

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

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.

Brian Cochran is concerned that we will run out of PO Boxes at the post office. He would like to get a mailbox at the new silo homes at AREA 420.

Bo McKenzie would also like to get a mail box on his property at AREA 420 Phase III. He is glad to be a part of the town and will be hosting festivals in town and would like to be able to post notices of these events. He also looks forward to bringing a solar company to the town.

Mr. Biggio would like to have the board not cancel the election and hold a working session to discuss an election.

Patricia Kelbert is wondering about the excise tax, as she has heard it is being raised. She does not want to see the excise taxes raised.

Mrs. Justice says that she spoke with the post office and curbside service is not available in Moffat. She also says that the post office clears out unpaid PO Boxes once a month and that she recommends getting on the list to get a PO Box at the post office.

Jason Catts is concerned that the town is spending more than they are making, and he is interested in information and willing to help.

Tina Eastman said that she was asked to come over by the fire chief and check on the status of the well at the firehouse. Mr. Lopez says that well would be included on the new GMS water project.

Brian Cochran asks if it is true that the town has no debt. Mr. Studinski says it is correct.

Jason Catts asks what the procedure is for taking on debt. Mr. Studinski says he is not sure.

Mr. Berger says we should not be having back and forth during public comment.

Mr. Studinski says the Colorado Statutes have protections against board members misusing funds.

Bo McKenzie speaks about wanting to have an election and would like to have an election.

6. REPORTS

a. Clerks Report

Mr. Litrenta asks the board if they are aware of any project that we used the SLFRF funding for. The board says they do not. The clerk lets the board know that we need to find a project to start spending that money on and one of the projects could be water. Mr. Litrenta says that we need to decide what we want to use it on by 12.31.2024 and must use those funds by 12.31.2026.

Mr. Studinski says that it will be necessary to spend the SLFRF money on water.

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

Mr. Litrenta asks when the excise tax working session will be, and explains what the process would look like. Decision on excise tax rate, amending ordinance, establish start date. The board would like to have the working session on 4.25.2024.

Mr. Litrenta tells the board we received a building permit for a drive way and asks the board if the town should be requiring building permits for driveways? Mr. Litrenta informs the board that the current building permit ordinance only refers to structures not driveways. The board agrees. Mr. Litrenta will destroy the check and building permit due to lack of ordinance.

Mr. Horsley has completed the online prerequisites for becoming a water operator. However, Mr. Horsley needs 30 days OJT or Mr. Horsley can take a Short Class that will allow for quicker turnaround on being able to take the State Exam. The total cost of Mr. Horsley to take the Short Class is approximately \$500. Mr. Horsley stated that the only benefit of that is to not have a gap between Ann Bunting and himself. Mr. Horsley stated that the Short Class is only a week long and would get certified prior to Ann Bunting Leaving. Otherwise, it is approximately \$150 for the State Exam which can be done in June.

Mr. Horsley states that Neighbors Helping Neighbors is collecting donations for Mrs. Myers and will be holding a Benefit Dinner on May 5th at 5:00 PM MDT.

b. Mayors Report

Mr. Lopez finalized the contract with Mr. Horsley.

He has also done work on the meeting procedure and clerks employment resolution.

c. Trustee Report

Mr. Studinski has worked on quarterly payroll taxes and will start to work on the SLFRF Fund. Mr. Studinski says that the SLFRF Funds will need to be used for water.

Mr. Studinski asks what is the status of the planning commission? Mr. Horsley says the commission is stood up and needing a chairperson, and one member. Mr. Studinski says that we need to get moving on the planning commission.

Mr. Kunkler explains that residents would need to get a PO Box at the post office. He also says that he would like to see the trustee and commission opening be posted. Mr. Litrenta says the trustee opening is posted online and throughout town.

7. OLD BUSINESS

a. Discussion of Revising of Fees to Cover Costs

The board discusses with the clerk possible increases in licensing and permit fees to cover costs. The mayor invites the public to comment on the fee schedule. The public discusses the fee schedule and the need for a local cannabis compliance inspector. Ther board would like to have a working session focusing specifically on Marijuana Licensing Fees.

b. Discussion of Clerks Roles and Responsibilities In Regards to Licenses and Permits

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

The board discusses with the clerk what licenses and permits the clerk should be reviewing and approving. The clerk will approve all non-cannabis license and permits. The LLA will approve all cannabis licenses and permits.

- c. Discussion and Consider Taking Action on Clerks Employment Resolution to Include a Decision About Bonding.

The board discusses the clerk's employment resolution, specifically bonding. Mr. Studinski makes a motion to waive the bond requirement for the treasurer. Mr. Kunkler seconds. Motion passes 4-0.

- d. Discussion and Consider Taking Action of Meeting Procedure Resolution

The board discusses the meeting procedure resolution and provides feedback. Mr. Reichwald makes a motion to table this agenda item. Mr. Studinski seconds. Motion passes 4-0.

- e. Discussion and Approval of Resolution Closing HUTF CD and Transfer to HUTF Account

Mr. Studinski makes a motion to approve a resolution Closing HUTF CD and Transfer to HUTF Account. Mr. Kunkler seconds. Motion passes 4-0.

- f. Discussion and Approval of Resolution Closing General Fund CD and Transfer to General Fund Account

Mr. Studinski makes a motion to approve a resolution Closing General Fund CD and Transfer to General Fund Account. Mr. Kunkler seconds. Motion passes 4-0.

- g. Signing of a Resolution Cancelling the Municipal Election and Declaring the Candidates Elected

Mr. Horsley explains the town status regarding elections and terms. The board discusses the public desire for an election and what would be required for that election. Mr. Studinski makes a motion to approve a Resolution Cancelling the Municipal Election and Declaring the Candidates Elected. Mr. Kunkler seconds. Motion passes 4-0.

8. **NEW BUSINESS**

- a. Signing of New Oaths

The Clerk reads the oaths and all board members and the mayor repeat and sign their oaths.

- b. Review and Possible Approval of FIGGRO Testimonial

Mr. Litrenta presents the board with a testimonial about the FIGGRO platform and asks if it is OK to provide that to FIGGRO. Mr. Studinski makes a motion to approve the FIGGRO testimony and for Mr. Litrenta to submit the testimony to FIGGRO. Mr. Kunkler seconds. Motion passes 4-0.

- c. Discussion and Consider Taking Action of Address Assignment Resolution

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

Mr. Litrenta provides the board with a resolution describing the address assignment process. The board discusses the resolution and process. Mr. Studinski makes a motion approve the Address Assignment Resolution 2024-13. Mr. Kunkler seconds. Motion passes 4-0.

d. Discussion and Consider Taking Action to Authorize New Banking Signatories Due to Board of Trustee Changes

Mr. Studinski makes a motion to approve a resolution to Authorize New Banking Signatories Due to Board of Trustee Changes Resolution 2024-10. Mr. Reichwald seconds. Mr. Kunkler recuses. Mr. Studinski, Mr. Berger, Mr. Reichwald vote Yay. The Mayor votes to make a majority. The Mayor votes Yay. Motion passes 4-0.

e. Signing of A Resolution Cancelling Trustee Pay

Mr. Kunkler makes a motion to approve the resolution Cancelling Trustee Pay Resolution 2024-12. Mr. Berger seconds. Motion passes 4-0.

Mr. Studinski makes a motion to enter executive session. Mr. Kunkler seconds. Motion passes 4-0.

The board enters executive session at 9:05.

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)(b), (c) and (g) to discuss:

1. Update regarding CIRSA Claim PC6021746-1

The board discusses the submitted CIRSA claim and CIRSA's response.

Mr. Kunkler makes a motion to exit executive session. Mr. Studinski seconds. Motion passes 4-0.

The board exits executive session at 9:45pm

10. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Litrenta will complete SLFRF Report
- Mr. Litrenta will send testimony to FIGGRO
- Mr. Litrenta will reach out to the attorney to confirm that the board waives the bond for the treasurer and will produce the final resolution for the clerk's employment
- Mr. Litrenta will approve all non-cannabis related licenses and permits
- Mr. Litrenta will notify Cresta Blocker that no Building Permit is needed for her driveway
- Clerk will record and post signed resolutions
- Mr. Horsley will submit oaths, once signed by Mr. Lopez, Mr. Reichwald, and Mr. Berger
- Mr. Kunkler will go to Alamosa state Bank to submit signatory paperwork

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

- Mr. Studinski will work on Unemployment Insurance
- Mr. Lopez will work on agenda procedure resolution
- Mr. Horsley will follow up with CIRSA claim

11. **TOPIC FOR NEXT MEETING**

- Excise Taxes Working Session on 4.25.204
- Working session discussing Marijuana Licensing & Permit and Fees 5.2.2024
- Signing of Clerks Employment Resolution
- Draft Procedure Resolution
- Next meeting 5.14.2024

Mr. Reichwald makes a motion to approve the next three meetings and the topics for the next three meetings.
Mr. Kunkler seconds. Motion passes 4-0.

12. **ADJOURN**

Mr. Reichwald makes a motion to adjourn. Mr. Kunkler seconds. Motion passes 4-0

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=c3RVdWFLZEJDN2ZjdmxjTVlpeWVjdz09>

Meeting ID: 864 2257 8056

Passcode: 592122