

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES SPECIAL MEETING

May 29th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:03pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor Lopez announces that there is a quorum.

Trustee 2 – Berger (Remote)

Trustee 4 – Studinski

Trustee 5 - Reichwald

STAFF PRESENT

Mr. Horsley

Mr. Litrenta

Mayor Lopez will vote to make a quorum. Three new trustees will get sworn in and participate at that point.

Ms. Myers

Ms. Kelbert

Mr. Catts

4. APPROVAL OF AGENDA

a. Approval of Agenda

Mr. Studinski makes a motion to approve the agenda. Mr. Reichwald seconds. Motion passes 4-0.

b. Approval of Minutes

Mr. Studinski makes a motion to approve the minutes. Mr. Reichwald 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 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

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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.

Ms. Melinda Myers updates the town on the progress at her property.

Diane Dunlap asks if the new trustees are here and wanted to welcome them and give the new trustees her background.

Mr. Reichwald makes a motion to suspend the rules to allow Mike Biggio to give Diane Dunlap his public comment time. Mr. Studinski seconds. Motion passes 4-0.

Diane Dunlap continues her public comment and discusses Moffat's marijuana ordinance.

6. REPORTS

a. Clerks Report

Mr. Litrenta tells the board that he thinks we need to develop a process for code enforcement as citizens have concerns regarding codes and the clerk is unable to provide any recourse for these citizens.

Mr. Litrenta says that we will need to redo all of our bank signer paper work and resolutions.

Mr. Litrenta tells the board that due to HB 21-1110 the town website needs to be made ADA compliant. He says he has spoken with SIPA and he was able to get a free license for a program that can convert our .pdf files to be ADA compliant. However, after this year the town will need to pay for that service which is about \$900. Also, there will need to be accessibility statements on our site and implementations plans. Additionally, there will need to be audits done to ensure compliance, which will likely need to be paid for, as well as a recording of all time spent on this task.

Mr. Litrenta tells the board that Sarah Ross has recommended that we include a checklist of documents needed to submit cannabis applications as well an authorization form for inspections to be signed by the applicant. He asks if these can be put on the next agenda for review. He also states that we should have something similar for excise taxes included.

Mr. Horsley speaks about the meeting he, the clerk, and the mayor had with the CDPHE. The mayor says CDPHE was very helpful. Mr. Litrenta says that the priorities needed by the CDPHE are income generation which includes negotiations for buying water assets as well was establishing customers for the public water system via community outreach.

b. Mayors Report

Mr. Lopez worked on the draft procedure resolution and will send that out to the trustees for a second review.

Mr. Lopez spoke with a cannabis license owner about a potential refund of a \$2500 state mandated payment to the town. The boards establishes that due dates should be enforced to be fair, and directs the clerk to deposit the check.

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c. Trustee Report

Mr. Studinski states that he was going to work on a resolution regarding a POTCH refund but was redirected by the attorney and has to wait to develop that resolution.

Mr. Studinski compliments the clerks on their work.

7. **OLD BUSINESS**

a. Signing of Oaths and Swearing in of New Trustees

Mr. Litrenta reads oaths to new trustees. New Trustees sign oaths.

Melinda Myers asks if the board can have a retreat or information session to get caught up on town matters. Mr. Lopez says he will contact the board members via email.

The new trustees take their seats on the board.

b. Signing of Confidential Data MOUs

Mr. Litrenta explains to the board the MOU's that need signing. Mr. Studinski makes a motion to have Mr. Litrenta sign the Confidential Data MOU's. Mr. Reichwald seconds. Motion passes 6-0. Mr. Lopez and Mr. Litrenta sign the MOU's and will submit them to the state.

c. Discussion and Consider Taking Action on Excise Tax Rate

The board discusses excise tax options. Melinda Myers makes a motion to have the clerk draft an ordinance lowering the cannabis excise tax to 2% and to work on scheduling and advertising a public hearing. Mr. Studinski seconds. Motion passes 6-0.

d. Discussion and Consider Taking Action on A Resolution Proposing a Refund to POTCH LLC

Mr. Studinski was advised by the attorney that he should wait to write one check instead of writing multiple checks. Mr. Reichwald makes a motion to table this item. Ms. Myers seconds. Motion passes 6-0.

e. Discussion and Direction Regarding of Konope Negotiations

Mr. Reichwald was not able to work on this item with Mr. Berger. Mr. Reichwald makes a motion to table this item. Ms. Myers seconds. Mr. Studinski, Mr. Catts vote no. Mr. Reichwald, Mr. Berger, Ms. Myers and Ms. Kelbert vote yay. Motion passes 4-2.

f. Discussion and Consider Taking Action on a Resolution Canceling Mayor Pay

No motion is made as council pay cannot be increased or decreased during a term so the resolution is invalid.

8. **NEW BUSINESS**

a. Discussion and Consider Taking Action to Hire a New Grounds Keeper.

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The board discusses with Ian Maus his resume and what his interests are and the town's needs. The town decides that they are not in a positions to hire a groundskeeper but would be interested in possibly contracting out specific jobs like completing the grow dome.

9. **EXECUTIVE SESSION**

10. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Litrenta will send singed MOUs to the state
- Mr. Horsley will file oaths with the county
- Mr. Litrenta will draft an ordinance lowering the cannabis excise tax to 2%
- Mr. Litrenta will draft a notice of public hearing for June 25th about the cannabis excise tax rate and submit that to the Saguache Crescent
- Mr. Reichwald and Mr. Berger will negotiate the Konope Contract
- Mr. Lopez will send introduction email to new trustees
- Mr. Litrenta will draft a notice of public hearing for June 25th about the business licenses ordinance and submit that to the Saguache Crescent
- Mr. Horsley will draft letters to the Lusks
- Mr. Horsley will develop educational material for public outreach

11. **TOPIC FOR NEXT MEETING**

- Mr. Litrenta will provide an update on the excise tax public hearing and excise tax ordinance
- Discussion of public outreach for water
- Discussion about planning commission
- Discussion about community engagement generally
- Discussion of Konope contract negotiations
- Discussion about a Trustee managing the town water project

12. **ADJOURN**

Mr. Studinski makes a motion to adjourn. Mr. Reichwald seconds. Motion passes 6-0.

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