

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



TOWN OF MOFFAT | EST. 1911

BOARD OF TRUSTEES REGULAR MEETING

May 7th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:01

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

STAFF PRESENT

Mr. Horsley

Mr. Litrenta

Mr. Lopez makes a quorum per Resolution 2008-02 and will vote in this meeting.

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

Mr. Studinski makes a motion to approve minutes. Mr. Kunkler 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 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

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

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of a future meeting. Civility is expected throughout the comment, and personal attacks are not tolerated.

Michael Nehez says that it was implied that if he didn't have a lot of money, he shouldn't be in the business he is in and he was resentful of that. We are trying to build a community and he came to Moffat because it is a favorable environment for the cannabis industry. He says there are many ways to generate revenue aside from excise taxes and the town needs to be looking at other ways to generate revenue.

Jason Catts says last meeting was interesting and he wants to help. He was wondering if the town hall could be used to hold meetings and information sessions.

Bo McKenzie says last meeting was good and hopes the board makes the right decision. He wants the board to know that he plans on bringing in entertainment that will generate revenue for the town. He hopes he can post notices at the town hall for these events. He informs the board he started a company called Cosmic Journeys, which looks to install solar and off grid power.

Michale Biggio says that several community members have submitted LOI's for an election and there is interest in the openings and an election.

Diane Dunlap would like to request the town hold an election. She said she spoke to the clerk today and she has confidence he can address license and excise taxes.

Melida Myers thanks everyone for participation in the fundraiser over the weekend and that she will be hosting people at her property this weekend.

6. REPORTS

a. Clerks Report

Mr. Litrenta informs the board and town that he has created an email group which citizens can sign up for on the town website.

Mr. Litrenta confirms with the board that they received the email from Craig Fetkavich expressing interest in the water operator position. Mr. Litrenta also informs the board that he requested that Mr. Fetkavich send over a resume for review.

Mr. Litrenta asks the board to have a code enforcement topic on the agenda soon as he is wondering what the process is for potential violations, and who should be handling potential violations of resolutions and ordinances.

Mr. Litrenta tells the board that currently 5 residents have submitted LOI's for the the Trustee vacancies. He says that we should have an agenda item soon discussing how we will review and vote on Trustee vacancies, as well as possibly conduct some sort of interview.

Mr. Horsley stated that the Park needs attention, trash, grass etc.

Mr. Horsley Stated that he has gotten the tablets up and running and will have those available going forward.

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Mr. Horsley is continuing with OJT with Ann. Mr. Horsley stated that he hopes that the Town can find a water operator soon, and asks if the Board will get more aggressive finding someone.

b. Mayors Report

Mr. Lopez reads a CIRSA Settlement statement.

Mr. Lopez reads a letter from the attorney explaining the lower than previously received invoices.

c. Trustee Report

Mr. Studinski says that he is frustrated with fellow trustees and he wonders if an election is an appropriate response. He hopes the new trustees will be more involved.

d. Water Report

Metering for DWR compliance- I met with Ryan Rhoads, a meter installer, to look at what well #1 needs to be compliant. I'm now in communication with DWR about what our options are. We couldn't find well #3. I'll go look for it again so we can get some info on that one.

Public outreach- A draft User Agreement has been created, reviewed by the attorney, and is now getting final input. I envisioned that public outreach would look like-

A mailer with general info that lists the benefits of connecting and announces the public meeting. Hopefully at the public meeting some folks want a tap. Then Moffat would use the user agreement with people who *want to get a tap with the fee waived for committing to being a customer prior to the start of construction*. The signed User Agreements will make up the file of future customers. The Fee Schedule and the maps should be presented and passed out at the meetings for further education.

The mailer should get sent to everyone within two blocks of GMS's proposed water lines, including priority two, given Trustee approval for that focus area.

Potch Agreement- I've forwarded documents regarding public vs private rates and different configurations that would be acceptable to CDPHE to the attorneys. The question of how the remaining 25% of the cost of purchasing 420's distribution line would be funded is still unanswered. Berg Hill sent preliminary information regarding the question of how and when Moffat could use its own water rights to fulfill the higher flows. I have some questions for her to more fully understand and will include an update on that topic in my last report.

I'll write up a status report on Moffat's water rights and CDPHE and DWR compliance for future reference by the Town and Trustees. It would be good not to lose the progress that we've made by going backwards on research.

Hunter and I have planned time together to get him started.

Mr. Horsley has been working with Mrs. Bunting and the training is going well and he looks forward to working on the town water needs.

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Kira Gregory the towns CDPHE water coach introduces herself and also explains the transition process with changing water system operators and that she is her to help. Mrs. Gregory will have a meeting with the clerk, assistant clerk, and mayor to discuss water. Mr. Studinski says a trustee should be in charge of water. Mr. Berger volunteers to point the water project.

7. **OLD BUSINESS**

- a. Discussion and Consider Approval of Clerks Employment Resolution, Resolution 2024-14

Mr. Studinski reads Resolution 2024-14 to the public. Mr. Studinski makes a motion to approve Resolution 2024-14. Mr. Kunkler seconds. Motion passes 4-0.

Mr. Horsley reads oath to clerk and Mr. Litrenta signs the oath.

- b. Discussion and Consider Taking Action on Meeting Procedure Resolution

Mr. Lopez discusses town board procedure resolution. Mr. Lopez discusses edits he would like to see. This will be put on a future meeting for review and possible approval

- c. Discussion and Consider Approval Resolution 2024-15, A Resolution Canceling the Municipal Election Due to No Candidates Seeking Election

Mr. Lopez opens the discussion to the public. The board discusses election options amongst each other and the members of the community.

The board recess at 7:50pm.

The board returns at 8:00pm.

Mr. Kunkler makes a motion to approve resolution 2024-15. Mr. Berger seconds. Mr. Studinski votes nay. Mr. Berger, Mr. Kunkler and Mr. Lopez vote yay. Motion passes 3-1.

Mr. Studinski reads the resolution.

- d. Discussion and Consider Taking Action on Excise Tax Rate

The board discusses potential excess tax rate and potential fees. Mr. Lopez directs Mr. Litrenta to communicate with the attorney about the towns ability to collect excise taxes and fees. This topic is tabled.

- e. Discussion of Business License Approval Process

Mr. Litrenta will make edits to Ordinance 3-2009 and present it to the board.

8. **NEW BUSINESS**

- a. Discussion of Sending Minutes to Attorney

The board directs Mr. Litrenta to only send agendas or minutes to the attorney in new situations where new language is required during executive session or in extreme circumstances where clarification is necessary.

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b. Signing of New Bank Signer Documents

Mr. Litrenta presents the board with documents that need to be signed for the new bank signers. The present board members sign these documents.

9. **EXECUTIVE SESSION**

10. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Litrenta will work with attorney for tax and fee clarification
- Mr. Litrenta will write edits to Ordinance No. 3-2009
- Mr. Horsley will file clerks' oath with the county
- Mr. Lopez will make edits to public excise tax letter
- Mr. Studinski will mail out the letters
- Mr. Horsley will get mailing list
- Mr. Lopez will make edits to the draft procedure resolution

11. **TOPIC FOR NEXT MEETING**

- Delegate Park maintenance
- Code enforcement discussion
- Trustee vacancy review process
- Review of water system operator resume
- Discussion and consider taking action on licensing fees

12. **ADJOURN**

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

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