

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



BOARD OF TRUSTEES SPECIAL MEETING

July 2nd, 2024 - 6:00pm

a. CALL TO ORDER

Mayor Lopez calls the meeting to order at 6:01pm

b. PLEDGE OF ALLEGIANCE

c. ROLL CALL

Mayor Lopez announces that there is a quorum.

Trustee 1 – Myers (Remote)

Trustee 2 - Berger (Remote)

Trustee 3 – Kelbert

Trustee 4 - Studinski

Trustee 5 - Reichwald

Trustee 6 – Catts

STAFF PRESENT

Mr. Horsley

Mr. Litrenta

d. APPROVAL OF AGENDA

a. Approval of Agenda

Mr. Catts makes a motion to approve the agenda. Ms. Kelbert seconds. Motion passes 5-0

b. Approval of Minutes

Mr. Catts makes a motion to approve the minutes. Ms. Kelbert seconds. Motion passes 5-0.

e. 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

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Topic: Town of Moffat's Special Meeting

Time: This is a recurring meeting Meet anytime

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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.

Mr. Litrenta discusses board attendance as public comment.

Mr. Catts agrees with Mr. Litrenta.

Mr. Horsley explains the responsibility of the board and how it is related to his past experiences in the Marines. He explains that he and the clerk have a passion for the Town.

Ms. Justice explains that it is challenging when one trustee seems to often challenge her. She would like Trustee Berger to reply to her request about what his issues and complaints are. She would like to have a civil conversation. She feels there is no trust with her and the town.

Ms. Lopez reminds the board that there is a code of conduct regarding attendance.

f. REPORTS

a. Clerks Report

Mr. Litrenta reminds the board this is a holiday weekend and the office will be closed.

Mr. Litrenta mentions that he has some concerns about the new Excise Tax Ordinance that requires companies to submit contracts when not paying taxes based on AMR.

b. Mayors Report

Mr. Lopez says he has not gotten to bolting down the trash cans. Mr. Catts said he will do this.

c. Trustee Report

Mr. Studinski reiterates the importance of attendance and participation by board members. He also says that we could wait to adopt and post the excise tax amendments until after the election so we can only post the title.

Ms. Kelbert states she also believes board members should be present.

Mr. Catts says he also thinks attendance is important. He is continuing to work and make progress at the park

Mr. Horsley says the house across the street is cleaned up.

Mr. Studinski says he can help out at the park.

d. Park Report

Mr. Lopez has not been to the park but says that it has been mowed and looks good. Mr. Horsley says he will have a park report at the next regular meeting and that he plans on checking on the bathrooms.

g. NEW BUSINESS

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- a. Discussion with Allyant members about ADA Process for the Website

Mr. Litrenta introduces Ms. Waldorf and Mr. Lind from Allyant who discuss with the board how Allyant can aid with the mandated ADA website compliance for Moffat. The board will do research on Allyant competitors and Mr. Litrenta will continue with the training.

h. OLD BUSINESS

- a. Discussion About Public Outreach for Water Meeting on July 9th

Mr. Horsley provides the board with an update on the water meeting. He informs the board that he handed out letters to potential water customers. The board discusses the July 9th water meeting.

- b. Discussion of Ballot Language

Mr. Litrenta presents the draft ballot language completed by himself and the attorney for the board for review and discussion.

- c. Discussion on Ordinance 2024-03 - An Ordinance Amending the Marijuana Framework Ordinance

Mr. Catts makes a motion to table this item. Ms. Kelbert seconds. Motion passes 5-0.

- d. Discussion of Road Maintenance

Mr. Catts provides an update about road maintenance in town. The board discusses what needs to be done with the roads and how to accomplish these needs.

i. EXECUTIVE SESSION

The Town Board may, upon 2/3 vote of the Town Board, convene into Executive Session:

Mr. Berger makes a motion to enter an executive session without the clerk and the assistant clerk. There is no second.

Mr. Studinski makes a motion to enter executive session. Mr. Catts seconds. Motion passes 5-0.

The board enters executive session at 8:55pm.

1. To discuss a written demand for payment and threat of litigation received by the Town of Moffat from Potch, LLC on March 21, 2024 pursuant to C.R.S §§ 24-6-402(4)(b), (d) and (e)(I).

2. To discuss CIRSA Claim PC6021746-1. C.R.S §§ 24-6-402(4)(b), (d) and (e)(I).

3. 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 pursuant to C.R.S §§ 24-6-402(4)(a), (b) and (e)(I).

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Mr. Berger makes a motion to exit executive session. Ms. Myers seconds. Motion passes 5-0.

The board exits executive session at 9:35pm.

j. **ACTION ITEMS FOR NEXT MEETING**

- Mr. Litrenta will reach out to the attorney about how to make edits to an already passed ordinance.
- Mr. Litrenta will make amendments to ballot language
- Mr. Litrenta will make edits to ordinance
- Mr. Lopez will reach out to the attorney about clerks' presence during executive session.

k. **TOPIC FOR NEXT MEETING**

- Water Discussion 7.9.2024
- Discussion of Ballot Language 7.16.2024
- Discussion of Cannabis ordinance 7.16.2024
- Discussion About Website ADA Compliance 7.16.2024
- 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 pursuant to C.R.S §§ 24-6-402(4)(a), (b) and (e)(I).

l. **ADJOURN**

Ms. Kelbert makes a motion to adjourn. Ms. Myers seconds. Motion passes 5-0.

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