



TOWN OF MOFFAT | EST. 1911

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

BOARD OF TRUSTEES REGULAR MEETING

August 6th, 2024 - 6:00pm

1. CALL TO ORDER

Mayor Studinski Calls the Meeting to Order at 6:00pm

2. ROLL CALL

Mayor Studinski announces that there is a quorum.

Trustee 1 – Myers
Trustee 2 - Berger
Trustee 3 – Kelbert
Trustee 5 - Reichwald
Trustee 6 – Catts

STAFF PRESENT

Mr. Horsley
Mr. Litrenta

3. APPROVAL OF AGENDA

- a. Approval of Agenda

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

4. PUBLIC COMMENT

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

Ms. Myers says that the 3rd Thursday public listening event in August conflicts with a school event so she will be moving the date of that event to the last Thursday of August. No objection from the board.

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. Horsley has been accused of not reporting crimes when they occur. He invites people who are accusing him of not reporting when crimes occur, to notify the mayor because he would obviously need to be let go.

Ali Lopez report that the trash at the park is overflowing.

Patty Reigel wants the corner of town hall fixed and put in the budget and the state historical fund needs to be notified.

Ms. Myers says she has reached out to the state historical fund and the town is on a list.

Ms. Justice asks if the town has a code of conduct regarding trustees speaking on matters discussed in executive session? Mr. Studinski says there is a resolution that was adopted in 2024 but it does not address confidentiality. Confidentiality is covered in general by state statute. Ms. Justice would like to see that language added to the resolution is the resolution is ever adopted, that trustees should not share information that is communicated in executive session.

Peggy Gotfried speaks about attorneys and moving water from Potch LLC's well to the towns water and it looks in order. She says there were things the board was not happy about from earlier but this order from this week looks to be right. It gives the town 10 years if there were any entry in to wells around Moffat that were... **the rest is inaudible.**

Trustee Myers directs the clerk she wishes to clarify the above public comment (Peggy Gotfried) via court document with this excerpt. "The Court shall retain jurisdiction for reconsideration of the question of injury to the vested rights of others due to the change of water rights for a period of ten years commencing on the date of the decree entered in this matter." This document is included in the meeting packet. It was included post meeting.

Ms. Reigel asks if Mr. Studinski has done the due diligence to become the mayor?

Mr. Studinski chooses not to answer the question.

6. NEW BUSINESS

- a. Discuss and take action on a waiver of confidentiality for the 7/2/2024 Executive Session audio.

The board discusses the redacted audio and a waiver of the confidentiality of that audio.

Mr. Reichwald makes a motion to waive of confidentiality for the audio file in question. Mr. Berger recuses. Ms. Myers abstains. Mr. Reichwald, Mr. Catts, and Ms. Kelber vote yes. Motion passes 3-0.

- b. Discuss and take action to hire an independent chair for the Berger hearing.

Mr. Studinski states that because he brought the charges against Trustee Berger, he feels it is not appropriate that he chair the public hearing for Mr. Berger. The board discusses placing an independent chairperson for the Trustee Berger Hearing on August 20th 2024.

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Mr. Reichwald makes a motion to appoint a trustee or find someone else to chair the public hearing for Trustee Berger. Mr. Catts seconds. Mr. Berger recuses. Mr. Catts, Mr. Reichwald, Ms. Kelbert, and Ms. Myers vote yes. Motion passes 4-0.

Mr. Reichwald informs Mr. Berger that he does not have to recuse himself. Mr. Berger understands that he does not have to recuse himself.

7. ACTION ITEMS FOR NEXT MEETING

- Mr. Horsley and Mr. Catts will empty the trash at the park
- Mr. Studinski will find a third party to chair the trustee Berger public hearing

8. TOPIC FOR NEXT MEETING

- Facebook page policy discussion

9. ADJOURN

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

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