

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



BOARD OF TRUSTEES REGULAR MEETING & PUBLIC HEARING

September 9th, 2025 – 6:00pm

1. CALL TO ORDER

Mayor Pro Tem Jung calls the meeting to order at 6:02pm

2. ROLL CALL

Mayor Myers not present

Trustee Pietras
Trustee Kelbert
Trustee Sarmiento
Trustee Opperman
Trustee Jung, Mayor Pro Tem , acting in absence of mayor
Trustee Scharer

Staff
Mr. Litrenta

3. APPROVAL OF AGENDA

a. Approval of Agenda

Mr. Opperman makes a motion to approve the agenda. Ms. Scharer seconds. Motion passes 6-0.

b. Approval of Minutes

Ms. Scharer makes a motion to approve the minutes. Ms. Kelbert seconds. Motion passes 6-0.

c. Approval to Pay Bills

Mayor Pro Tem Jung reads the bills publicly the board discusses as needed. Ms. Kelbert makes a motion to approve to pay the bills. Mr. Opperman seconds. Motion passes 6-0.

4. PUBLIC COMMENT

Public comment provides a time for community members to present their views to the Board of Trustees. If you wish to speak, raise your hand and wait to be acknowledged. Everyone is asked to express their viewpoints within a three-minute time allotment to allow all voices to be heard. The

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

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Board may consider all public input as we plan for future discussions. Any decisions must be agenda items for a future publicly announced meeting. Civility is expected throughout the comment, and personal attacks are not tolerated.

Patricia Reigel makes a public comment regarding the removal of Mayor Myers.

Bob Smith makes a public comment regarding Melinda Myers and comments on the removal of the mayor. He asks that Mr. Opperman be removed from the town board of directors.

Peggy Godfried reads a letter from Melinda Myers.

Dawn Mayo makes a public comment regarding the town fixing roads to include speed limit signs and stop signs.

5. REPORTS

a. Clerks Report

Mr. Litrenta reports that he has spoken with CIRSA and he is ready to present the P/C Insurance renewal to the board.

Mr. Litrenta is schedule to meet with Patrick about website ADA compliance on Friday.

Mr. Litrenta reports that he got a request from the church for a donation and that request should be discussed at a future meeting.

Mr. Litrenta reports that he was awarded the scholarship to the CMCA conference for \$800 which covers his registration.

Mr. Litrenta reports that the amended election ordinance ready for board review and voting on 10.7.2025

b. Trustee Report

Ms. Pietras gives a report about the road work at the Dollar General road to include what would be needed to move forward.

Ms. Pietras reports that she spoke to Conley Waste Management and they told her they had already spoke to the clerk and the dumpsters were ordered.

Ms. Jung asks Mr. Opperman when the speed limit signs will be posted on Mayor Patricia Reigel Blvd? He states he will try to get to this week. Mr. Opperman will reach out to POTCH about putting speed limit signs in Area 420 Phase 2.

c. Mayors Report

No Mayors report.

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d. Water Report

No water report. Ms. Jung reports that we no longer have an ORC. Mr. Litrenta states that position must be filled within 30 days from the vacancy.

The water committee will look in to finding a replacement.

e. Financial Report

Mr. Litrenta give the financial report. The board discusses as needed.

6. PUBLIC HEARING

- a. Hold a public hearing, discuss, and consider action on written charges seeking the removal of Mayor Melinda Myers from the office of mayor, pursuant to C.R.S. § 31-4-307 and Resolution 2024-04.

Mr. Opperman discusses the charges brought against Mayor Myers. He is Given 30 minutes to present evidence. Mr. Opperman concludes his presentation of the evidence.

Ms. Myers is given 30 minutes to make her rebuttal. Ms. Myers is not here. A statement was read earlier during public comment.

Votes are highlighted **Yellow**.

Charge 1: Abuse of Authority and Disregard for Due Process

Summary: Improperly removing duly elected Trustees from their official capacity during a public meeting.

Was the allegation proven true (substantiated by the evidence?)

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

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Does the evidence support a finding of misconduct or malfeasance in office? Votes need to be recorded as to each.

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Do the findings of malfeasance/misconduct warrant removal?

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Charge 2: Misrepresentation to Legal Counsel Regarding Water Compliance

Summary: Knowingly providing false information to the Town's water attorney, resulting in obstruction of water access for residents.

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Was the allegation proven true (substantiated by the evidence?)

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Does the evidence support a finding of misconduct or malfeasance in office? Votes need to be recorded as to each.

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Do the findings of malfeasance/misconduct warrant removal?

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No

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Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Charge 3: Improper and Coercive Use of Office to Interfere in Private Property Rights

Summary: Attempting to impose private ditch rights transactions as a condition of public permitting.

Was the allegation proven true (substantiated by the evidence?)

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Does the evidence support a finding of misconduct or malfeasance in office? Votes need to be recorded as to each.

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No

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Mr. Sarmiento	Yes	No
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Do the findings of malfeasance/misconduct warrant removal?

Ms. Scharer	Yes	No
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Mr. Opperman	Yes	No
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Ms. Jung	Yes	No
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Ms. Pietras	Yes	No
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Ms. Kelbert	Yes	No
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Mr. Sarmiento	Yes	No
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Charge 4: Misappropriation of Public Property for Personal Gain

Summary: Awarding herself a \$0 lease for use of Town-owned property for commercial agriculture.

Was the allegation proven true (substantiated by the evidence?)

Ms. Scharer	Yes	No
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Mr. Opperman	Yes	No
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Ms. Jung	Yes	No
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Ms. Pietras	Yes	No
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Ms. Kelbert	Yes	No
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Mr. Sarmiento	Yes	No
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Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Do the findings of malfeasance/misconduct warrant removal?

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Charge 6 : Disparaging Conduct Toward Local Businesses

Mayor Melinda Myers , during one or more meetings of the Moffat Town Board, has engaged in **disparaging and inappropriate commentary** directed toward local businesses—specifically those that play a significant and active role in supporting, investing in, and helping sustain the economic well-being of the Town of Moffat.

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Was the allegation proven true (substantiated by the evidence?)

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Does the evidence support a finding of misconduct or malfeasance in office? Votes need to be recorded as to each.

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No
Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Do the findings of malfeasance/misconduct warrant removal?

Ms. Scharer	Yes	No
Mr. Opperman	Yes	No

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Ms. Jung	Yes	No
Ms. Pietras	Yes	No
Ms. Kelbert	Yes	No
Mr. Sarmiento	Yes	No

Mr. Opperman makes a motion to remove Mayor Myers from Office. Mr. Sarmiento seconds. Mr. Sarmiento, Mr. Opperman, and Ms. Jung vote yes. Ms. Pietras, Ms. Kelbert and Ms. Scharer vote no. Vote is 3-3. Motion does not pass.

- b. The Board reserves the right to convene into executive session pursuant to the following:
 - i. C.R.S. 24-6-402(4)(b) (Legal Advice) to discuss legal advice regarding the potential discipline or removal of the following public officer: Mayor Melinda Myers.

Ms. Kelbert makes a motion to enter executive session. Mr. Opperman seconds. Motion passes 6-0.

The board enters executive session at 7:49pm to receive legal advice from Town Attorney, Sarah Ross, by telephone.

Mr. Litrenta started the recording of the executive session late.

Ms. Jung makes a motion to exit executive session. Ms. Pietras seconds. Motion passes 6-0.

The board resumes the regular meeting at 7:58pm.

Ms. Jung makes a motion to take a 10-minute break. Ms. Pietras seconds. Motion passes 6-0.

The board breaks at 7:59pm.

Ms. Jung makes a motion to resume the meeting. Mr. Opperman seconds. Motion passes 6-0.

The meeting resumes at 8:12pm.

7. **OLD BUSINESS**
8. **NEW BUSINESS**
9. **ACTION ITEMS FOR FUTURE MEETINGS**

- Mr. Litrenta will post minutes
- Mr. Litrenta will transfer audio

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- Mr. Litrenta will send draft agenda and minutes for review
- Mr. Litrenta will assemble meeting packet
- Mr. Litrenta will pay the bills
- Mr. Litrenta will file public hearing packet
- Ms. Kelbert and Ms. Scharer look to get the town a new ORC
- Ms. Pietras will make a flyer for the town clean-up
- Mr. Opperman will place the speed limit signs
- Mr. Opperman will do inventory of other town road signs
- Mr. Opperman will create town clean up dumpster sign up sheet. The dumpsters will open between 9am – 5pm on the 26th and 27th of September.

10. TOPIC FOR FUTURE MEETINGS

- Water working session 9.30.2025
- Water meeting with state 11am 9.29.2025
- Working session on Special Event Ordinance
- Noise Ordinance
- Codification 10.7.2025
- Discussion and consider taking action about vendor licenses for special events
- Discussion and consider taking action on business license ordinance
- Discussion and consider taking action on cannabis ordinance edits
- Discussion and consider taking action on Well #5 water agreement
- Discussion and consider taking action on CIRSA initial quotes
- Discussion and consider taking action on Ordinance 2025-01 amendments 10.7.2025
- Discussion and consider taking action on a resolution eliminating the assistant clerk's position 10.7.2025
- Adjust MPH ordinance on Mayor Patricia Reigle Blvd.
- Discussion and consider taking action on Mr. Horsley's water contract 10.7.2025 – Mr. Horsley will not be submitting a new contract. This item is removed per the board request. Mr. Horsley returns his phone to the board.
- Discussion and consider taking action on Water plan for state 10.7.2025
- Discussion and consider taking action on a donation to Free Spirit Christian Church for Thanksgiving meals 10.7.2025

11. ADJOURN

Mr. Opperman makes a motion to adjourn. Ms. Scharer seconds. Motion passes 6-0.

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