

**TOWN OF OPHIR  
ORDINANCE 2009-3**

**TRANSFERING APPROPRIATIONS FROM THE TOWN'S 2009 MAINTENANCE  
BUDGET TO THE TOWN'S 2009 CAPITAL PROJECTS BUDGET FOR THE  
PURPOSE OF INCORPORATING PHOTOVOLTAIC TECHNOLOGY INTO  
RECENT TOWN HALL IMPROVEMENTS**

**WHEREAS**, The Ophir General Assembly, via Resolution 2008-\_\_\_\_\_ established a Public Works budget within the Town General Fund in the amount of \$87,677.00 for FY2009; and

**WHEREAS**, After the first fiscal quarter of 2009, it is evident Public Works expenditures for the year will be significantly less than the amount appropriated in the 2009 budget; and

**WHEREAS**, Under Section 12(D) of Article VI of the Ophir Home Rule Charter, the General Assembly may transfer all or part of any unencumbered appropriation balance from one fund to another; and

**WHEREAS**, The General Assembly is in favor of utilizing, to the best of its ability, renewable energy technology such as solar power, thereby and reducing the Town's carbon footprint while working to achieve municipal energy independence;

**WHEREAS**, The Town stands to benefit from both a 30% federal tax credit and a \$2,100.00 rebate through the San Miguel Power Association if it undertakes to install and utilize photovoltaic panels on the new Town Hall roof:

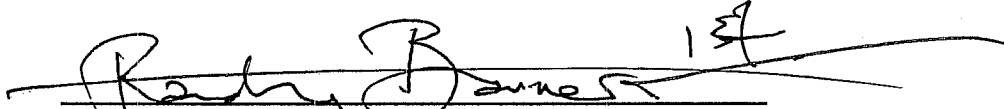
**NOW, THEREFORE BE IT ORDAINED BY THE GENERAL ASSEMBLY OF  
THE TOWN OF OPHIR, COLORADO:**

Upon approval of this ordinance, a transfer in the amount of no more than \$6,300.00 shall be made from the Public Works budget of the Town General Fund to the Town's Capital Projects Fund for the purposes of funding the cost of installing photovoltaic cells atop the Ophir Town Hall capable of producing approximately 1000 kilowatt hours of usable electricity per year. The General Assembly approves this transfer with the understanding that in so doing, it would be eligible for a federal tax credit in the amount of approximately \$1,800.00 and a rebate from San Miguel Power Association of approximately \$2,100.00, each of which would be payable to the Town General Fund.

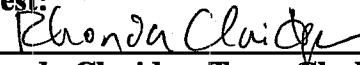
**INTRODUCED, READ, APPROVED AND ADOPTED BY THE GENERAL  
ASSEMBLY OF THE TOWN OF OPHIR on the 21<sup>st</sup> day of April, 2009.**

**READ AND APPROVED AND ADOPTED AS AMENDED ON SECOND AND  
FINAL READING BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR  
on the 19<sup>th</sup> day of May, 2009.**

Ordinance 2009-3

  
\_\_\_\_\_  
**Randy Barnes, Town Mayor**

Attest:

  
\_\_\_\_\_  
**Rhonda Claridge, Town Clerk**  
[Town Seal]

Approved as to Form:

\_\_\_\_\_  
**Stephen B. Johnson, Town Attorney**