

**MINUTES OF THE REGULAR MEETING OF THE GENERAL
ASSEMBLY
TOWN OF OPHIR, CO 81426
TUESDAY, NOVEMBER 17th, 2020 7:00 PM
OPHIR TOWN HALL 36 PORPHYRY ST.**

CALL TO ORDER

(7:08PM)

(Voting Member: Chris Drew, Sydney Roop, Eric Beermann, Sue Hehir, Nan Darkis, Andy Martin, Janice Gerona, Monica Carey, Valerie Sloan, Kim Wheels, Allison Snyder Kingsley, Fiona Drew, Jesse Rose, Will Downing, Phil Hayden and Leigh Sullivan @ 970-728-3204, Bob Kingsley, Sarah Callicot, Ryan Ehlers)

(Non Voting Member: Ken Haynes, Cindy Wyszynski, David Callicot)

Corinne is unable to make the meeting.

The GA votes to appoint Ken as the meeting moderator; Sydney, Andy Martin, Eric Beerman, Nan Darkis, Chris Drew, Sue Hehir , Monica Carey, Kim Wheels, Allison Snyder- Kingsley, Janice Gerona, Valerie Sloan, Phil Hayden,

**ADOPTION & SIGNATURE OF October 20th, 2020 MEETING
MINUTES**

Monica motions to approve and adopt, Valerie seconds

All in Favor (Yay): Sydney Roop, Andy Martin, Phil Hayden, Leigh Sullivan, Monica Carey, Kim Wheels, Valerie Sloan,

Not in favor (Nay):

Abstain: Nan Darkis, Sue Hehir, Chris Drew, Fiona Drew, Janice Gerona, Eric Beerman, Allison Snyder-Kingsley, Bob Kingsley

APPROVAL OF AGENDA

Val motions to approve and adopt November 17th, 2020 agenda, Allison seconds

All in Favor (Yay): Sydney Roop, Andy Martin, Eric, Nan, Sue, Monica, Chris, Fiona, Kim Wheels, Allison Snyder-Kingsley, Bob Kingsley, Valerie Sloan, Janice Gerona, Jesse Rose, Phil Hayden, Leigh Sullivan,
Not in Favor (Nay):

Abstain:

BUSINESS ITEMS

A.COVID-19 Update

There is an increase in cases in the county. Please wear your mask in the trash building and post office! Sydney requests that Ground Pounder’s employees wear masks while operating town owned equipment. Eric Beerman motions to instruct town staff to find ways to investigate possibly ways to improve the ventilation in the Ophir post office. Nan Darkis seconds.

Yay: Sydney, Andy, Eric, Nan, Chris, Fiona, Kim, Sue, Allison, Bob, Monica, Val, Janice, Will, Jesse Rose, Phil, Leigh, Sarah,

Nay:

Abstain:

Eric and Janice provides some ventilation ideas. Monica brings up dogs and COVID transmission. 5 commitments: “6 ft of social distance, I will cover my face in public, I will stay home when I am sick, I will get tested immediately if I have symptoms, I will wash my hands often”

B. 2021 Preliminary Budget Discussion

Ken is working on the budget. Ken is working to include in next year’s budget an assistant to the manager position, road maintenance and upgrades. If you have any budget requests, please reach out to Ken or Sydney. Phil would like better drainage. Janice would like to see more dust control.

C. Second Reading of Ordinance 2020-2, Prohibit UAS/ Drone Use on Town Owned Property

Sydney brings up that the P&Z also recommended that drones not be allowed in the Source Water Protection Area. Town staff is unsure if this would be enforceable because there is Conservation and USFS property

in the SWPA. Monica brings up that the Source Water Protection Plan the town has filed with the state gives Ophir rights to that area. Town staff is unsure how to move forward with drones use in the SWPA. Monica motions to approve the second reading of Ordinance 2020-2, Prohibiting UAS on town property, with town staff to see if prohibiting drone use in the Source Water Protection area (USFS, Conservation) is possible. Sydney seconds.

Yay: Sydney Roop, Nan Darkis, Eric Beerman, Sue Hehir, Chris Drew, Fiona Drew, Kim Wheels, Allison Snyder-Kingsley, Bob Kingsley, Phil Hayden, Leigh Sullivan, Monica Carey, Coach Miller, Valerie Sloan, Janice Gerona, Will Downing, Jesse Rose, Sarah Callicot,

Nay:

Abstain: Andy

Second Reading of Ordinance 2020-2 approved and adopted.

D. First Reading of Ordinance 2020-3, Amending Ordinance 94-3 Regarding Ophir Environmental Commission

This Ordinance amends Ordinance 94-3 to remove “elected by the General Assembly” to “appointed by the General Assembly”. Some wording was changed as well as dates to when members are appointed. Qualifications of members was changed and compensation determined by the GA was added.

Allison motioned to approve first reading, Janice second.

Yay: Sydney Roop, Andy Martin, Monica Carey, Coach Miller, Allison, Bob Kingsley, Janice Gerona, Nan Darkis, Sue Hehir, Kim Wheels, Eric Beerman, Valerie Sloan, Chris Drew, Fiona Drew, Will Downing, Jesse Rose, Phil Hayden, Leigh Sullivan,

Nay:

Abstain: Ryan Ehlers

First reading approved, Ordinance 2020-3 will go to a second reading.

E. First Reading of Ordinance 2020-4, Renewal of Ground Pounders Public Works Contract for 2021

Sydney motions to approve the first reading of this ordinance, Allison seconds.

Yay: Sydney Roop, Andy Martin, Monica Carey, Allison Snyder-Kingsley, Bob Kingsley, Janice Gerona, Nan Darkis, Sue Hehir, Kim Wheels, Eric Beerman, Valerie Sloan, Fiona Drew, Chris Drew, Phil Hayden, Leigh Sullivan, Will Downing, Jesse Rose, Sarah Callicot, Nay:

Abstain: Ryan Ehlers

First reading of Ordinance 2020-4 approved, will go to a second reading.

F. Master Plan Presentation

Planning and Zoning have been working on the Master Plan all year! The OEC assisted P&Z with the MP. Allison Snyder-Kingsley has worked especially hard on the drafting of the Master Plan making it user friendly and concise. It is 17 pages with results from various surveys are in the MP with goals and objectives. It is like a mission statement for Ophir! Town staff will send out an email to residents with the Master Plan document for residents to review and public comment. Phil Hayden has a public comment on Goal F: Update the Ophir LUC- Detailed Objectives #4: Lock Offs. There is discussion on lock-offs. Master Plan to be approved by a Resolution at the December GA.

G. New Dominion Cleanup Discussion

Monica and the OEC have begun to review the 400 page cost and engineering analysis document. No deadline on public comment, sounds like early spring. There are 3 options to clean up the New Dominion Mine: 1) Do nothing 2) Cover/ Water Surface Controls 3) Remove/ Relocate Waste/ Surface Water Controls. OEC finds that #3) Remove and Relocate the Waste is less desirable. OEC prefers option #2 Cover/ Cap with water surface controls. Questions: No mention of the beaver pond aka settling pond? Cemetery? Town staff encourages everyone to read the document and to submit public comment.

5. STAFF REPORTS

Town Manager (Ken Haynes): P&Z and Town staff created an LUC violation form. This will be available on the town's website. If you have an LUC complaint, please fill out this form and send to Ken. This is a

trial period for this form and if it works smoothly the town may use this as a document for other violations/complaints such as dogs and ordinances. Trying to manage parking so it doesn't interfere with snow removal- signage. Discussion on parking across from the maintenance barn. How can Ophir best communicate via signage? Turn the message around? Smokey Bear approach? Discussion on signage and messaging while retaining what is important to us as a Town. How to use messaging to show visitors what is important to the Ophir community and to have respect for all needs. Allison and Ken began discussing LUC edits.

Water plant is running well!

Town Mayor (Corinne Platt): Not present.

Town Clerk(Sydney Roop): Corinne and I hosted an Intergovernmental Meeting on Nov 9th.

Ophir Environmental Chairperson (Monica Carey): OEC discussed Master Plan, New Dominion at the last meeting. Reviewed the town's website for verbiage on how to Ophir Valley recreation. OEC is trying to stay ahead of anticipated recreational issues such as backcountry skiing, parking issues, poop/ toilet paper/ trash. Signage & Messaging. OEC is trying to find a way to say not to "geotag" Ophir to people who come here.

Planning and Zoning Chairperson (Valerie Sloan): P&Z is working to get the master plan to the GA!

6. NEW BUSINESS

Kim Wheels has new business. She would like a discussion on the Ferguson property, avalanche zones, and building in the moderate avalanche zone. Brief overview from Allison: Prior to 2007, the LUC provided a way for new development in the moderate avalanche zone with certain restrictions. In 2007, there was an amendment to that provision (Section 8) that has requirements to build in the moderate or high avalanche zone. One requirement is that you can only build if it is a grandfathered in structure. In 2016, the GA approved a new structure in the moderate avalanche zone. In 2013, the county assessor switched how they were assessing vacant lots in the moderate avalanche zone. The Ferguson party who owns the lots in the moderate avalanche zone have

asked for a tax abatement from the county because their lots are not buildable as the current LUC language is. Questions to the GA: 1) Is the Town comfortable building in moderate avalanche zones? 2) Should there be another avalanche hazards survey? (The last one was done in 1974 and this is the mapping that the town relies on) There is a big discussion on this issue. Sue Hehir requests at the Dec GA that there is a presentation on building in the moderate avalanche zone. Ken brings up the Town Remote School. The Town just received a COVID grant that would help cover costs for a trailer, PPE, etc. The money needs to be spent by the end of the year.

7. ADJOURN

Sydney motions to adjourn, Phil seconds
All in favor!



Town Clerk, Sydney Roop

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Date

Minutes prepared by Sydney Roop, Town Clerk

*Action meeting minutes are typed by the Clerk to give the General Assembly a readable version of all votes, motions, approvals and disapprovals. If your comments, opinions, or questions did not make it on the written record of the meeting minutes and you want them to be on the written record, please let the Clerk know so he/she may correct. **Audio recordings of all General Assembly Meetings are available to the public.** Please contact the Town Clerk if you would like a copy of this month's audio of the meeting minutes.*