

**MINUTES OF THE REGULAR MEETING OF THE GENERAL  
ASSEMBLY  
TOWN OF OPHIR, CO 81426  
TUESDAY, July 21st, 2020 7:00 PM  
REMOTE MEETING VIA ZOOM PLATFORM**

**CALL TO ORDER:**

(7:08 PM)

**(Voting Members:)** Steve Barnett, Sydney Roop, Doris Glynn ( via telephone @ (970-708-0821), Phil Hayden via telephone @ (970-728-3204), Eric Beerman, Monica Carey, Bill Allen, Sonja Allen, Teri Steinberg, Robert Miller, Jacey DePriest, Kim Wheels, Valerie Sloan, Todd Rutledge,

**(Non Voting Members:)** Ken Haynes, Ken Page, Hank Shell, Cindy Wynzsnski, Corinne Platt

**ADOPTION & SIGNATURE OF June 16th, 2020 MEETING  
MINUTES**

Sydney Roop motions to approve and adopt June 16th, 2020 meeting minutes, Phil Hayden seconds

All in Favor (Yay): Monica Carey, Coach Miller, Eric Beerman, Teri, Bill Allen, Sonja Allen, Steve Barnett, Sydney, Doris Glynn, Phil

Not in favor (Nay):

Abstain:

**APPROVAL OF AGENDA**

Phil motions to approve and adopt July 21st, 2020 agenda, Doris seconds

All in Favor (Yay): Coach, Monica, Teri, Bill Allen, Sonja Allen, Steve Barnett, Sydney, Phil, Doris, Eric

Not in Favor ( Nay):

Abstain:

## **BUSINESS ITEMS**

- A. **COVID-19 Update:** The state issued a mandatory mask order in public places. To enter any public buildings you are required to wear a mask. Masks are required to enter the trash building. Remind your neighbors to kindly wear their masks when in the trash building. Pursue further mask orders in Ophir?
- B. **Second Reading and Motion to Approve Ordinance 2020-2: Town of Ophir Drone Policies, Encouraging Safe Uses of UAS While Addressing Accountability:** This Ordinance is not ready for 2nd Reading at tonight's meeting. Steve Johnson, the town attorney, made some suggestions and edits. The Ophir Municipal Code, Ordinance 1974-1 does not delegate authority to the Town Manager the power of rule making or enforcement. This Ordinance would allow for the Town Manager to create the rules and enforce drone use in the Town of Ophir. The Ordinance is not ready for adoption and needs further attention. Corinne motions to take to staff meeting for further review, Phil seconds  
Yay: Eric, Syd, Teri, Bill, Steven, Jacey, Doris,  
Nay:  
Abstain: Monica, Coach, Valerie, Phil
- C. **Public Service Announcement in regards to the Trash Building:** Ken presents a guideline on how to use the trash building properly. There have been incidences where trash and recycling has been disposed of improperly. Please crush your aluminum cans and break down your cardboard boxes. There is a new "small home projects" dumpster that is outside and available for residents to dump their small projects construction debris for a fee. Please, no household waste in this dumpster as to not entice the bears. This guideline will be sent out as an email and a mailed paper copy to everyone who has a trash account. This guideline will also be available on the town's website.
- D. **Town of Ophir Forest Fire Evacuation Exercise:** The town is working with San Miguel County to get this going. Tentative date of the exercise is September 19th.
- E. **Discussion on matching grant for Werner Infiltration System:** In 2019, the Town of Ophir was awarded a grant from Southwestern

Conservation District of up to \$51,000 to replace the Werner Infiltration Water System. They will match up to \$51,000 to complete the project. Ken is starting the discussion on whether to pull from reserves from Enterprise Fund to match grant? In discussion with contractor, Ground Pounders, there is not a firm number yet for the project. The projected cost is less than \$102,000. This grant would be a potential \$51,000 towards that plus any match. Potential match funding ideas? Ken believes we may need to consider an Ordinance to use Reserves to match grant. The SCD allowed the grant to pass from 2019 into 2020, Ken has not requested to allow this grant to continue into 2021. There is discussion on what the next step should be. Corinne would like to see a cost estimate before the GA motions on how to match the grant. The grant expiration is for year 2020, but Ken will reach out and see if its something we can carry it on to 2021.

- F. Discussion of location for Community Greenhouse:** Jacey DePreist leads the conversation. In the spring there was a grant opportunity for a greenhouse, which in turn made the OSRC realize a location for a community greenhouse is needed before applying for a grant. There is a discussion amongst the GA of potential spots. The OSRC will look at different block and lot numbers, present these locations to P&Z and OEC for review. OEC & P&Z will then bring their recommendations to the GA. The idea of a short community survey is also recommended.
- G. Discussion of removal of Eagle’s Cabin on Town-owned property:** A resident brought up concerns about the hot tub cabin and Eagle’s Cabin and felt that these cabins present safety and health hazards. The Town could put out a request of proposal out for destruction and removal of Eagle’s Cabin, including revegetation. Ken is looking into condemning the hot tub cabin, and who would be responsible for removing the cabin. This cabin is not on town owned property. It is on property owned by a company called, “United”. In order to access the Eagle Cabin, the Town will need to work with the Barnett residency. The town owns an easement that goes through the Barnett property to access the land. \*Revised minutes to include Eric Beerman’s comments and additional

information. Eric Beerman is under the impression from a GA meeting 10 years ago that this easement is public and would like this to be reaffirmed by the Town that the public has the right to travel the easement to access the town owned property. Ken has researched this issue since he became Town Manager and he confirms that the easement is for Town of Ophir to access it's property. The easement is not open to public access use. Eric would like the town to revisit the issue and to give Ophir residents a better understanding of this easement and what is and isn't allowable. Steve the town attorney will need to review these documents.\* This is not a voting item at this meeting, just a discussion. Ken will put out a bid of proposals to see what the cost to remove the cabin would be. Town staff will continue to work on this subject and bring it to the August GA.

**H. Discussion of Board of County Commissioners Meeting, July 22nd, 2020 “All Things Ophir”-** The meeting is at 10:20AM on July 22nd. If there is anything that anyone would like for Ken to share, please email him your comments tonight or tomorrow morning.

## **5. STAFF REPORTS**

**Town Manager** (Ken Haynes): Ken is working on the results from Ordinance 1979-1, Vacating Portions of Alleys and Roadways. A few of the alleys and roadways on the north side of West Ophir were vacated in 1979. The road is split up with the adjacent property owner. This was never replated or filed with the County as required. Ken and Steve are working on this. If anyone would like paper copies of documents prior to GA meetings, please reach out to Sydney and she will get those to you. Sydney is working on the “last mile” project of the Broadband. Ken will be grading Porphyry in West Ophir.

**Town Mayor** (Corinne Platt): Forest Service and the Division of Mining and Reclamation are going to be doing a project involving 3 adit closures. Ophir is being looked at for “Outstanding Waters” designated for Waterfall Canyon, this would give Ophir another layer of protection in waterfall creek. There has been increased hiker traffic in all around Ophir. The Waterfall loop is now on Mountain Club's website. Corinne

would like to see signs at both entrances of Waterfall, asking people to pack it in and pack it out, please don't leave your toilet paper, and that this is our water source. "Leave No Trace" signs and "This is our water source" signs. The idea of putting up signs is well received.

**Town Clerk**( Sydney Roop): I have been researching the legality of moving to a remote only GA platform, as requested by GA members at one of the last GA meetings. This would be a change in our Home Rule Charter. I have read where towns are putting in place remote meetings as a way to hold meetings in an emergency as declared by the mayor. I have not found anything where towns are moving to a remote meeting only platform. While under our Declaration of Emergency due to COVID, and for the foreseeable future, the town is planning to hold their meeting remotely. I am working on a Resolution that lines out our remote meetings policies while under our Emergency Declaration. I will be bringing this to town staff.

**Ophir Environmental Chairperson** ( Monica Carey): The OEC is busy with topics already discussed during the meeting. Monica will be presenting some projects to the GA once they are in a more completed form. Monica requests that anyone that is hiking, if you notice an adit closure that is in disrepair, please take a photo and ideally a GPS coordinate and send that to Monica. Toadflax is blooming! Pull it!

**Planning and Zoning Chairperson** ( Valerie Sloan): N/A.

**Cindy Wynzsnski** (Treasurer): The first ACH batches for water and trash went through, everything went smooth! The money went into the right accounts.

## **6. NEW BUSINESS**

Sydney has a quick new business. The Town is beginning to research the "last mile" project of the broadband. I met with Natalie and Brian Morgan from the BB committee when the Town was implementing the "middle mile" project of the broadband. Initial thoughts from that meeting such as Ophir will most likely not be eligible for a DORA grant. Communities must be considered "unserved" with their BB service in order to receive these funds. This project will most likely be an out of pocket expense for the Town. First Steps: Getting some ballpark estimates for designs for the underground fiber network. This will help

the Town get a scope of cost of this project. Broadband will be an agenda item, as a discussion, at the August GA. Please email me any opinions, thoughts, discussion as it relates to broadband. Contract with Visionary is up in April 2022, a decision needs to be made on how to move forward in October 2021.

Phil brings up Ophir voter registration. Can registered Ophir voters who are physically not in Ophir cast a vote at remote zoom meetings? As Ordinance 1997-2 reads, if you leave Ophir for temporary purposes with the intention to return then you do not lose your voter registration with the Town. Does that mean you can cast a vote remotely if you are not physically in Ophir? Sydney will continue to research this.

Ken has new business that a resident has made a request by a resident to potentially utilize Town Hall as a School Building. This is in initial discussions. Ken has reached out to the Telluride School District and the County Health about this in regard to help, details, thoughts, etc. The biggest aspect is how that would affect Town Hall functions. Sydney and Ken both work in the building on a daily basis. This item is currently working.

## **7. ADJOURN**

Phil motions to adjourn, Corinne seconds

In Favor (Yay): Monica, Phil, Eric, Syd, Bill, Steven, Kim, Doris

Not in Favor (Nay):

Abstain:

Meeting adjourns at 9:14PM



\_\_\_\_\_  
Town Clerk, Sydney Roop

9/16/2020

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor, Corinne Platt

\_\_\_\_\_  
Date

*Minutes prepared by Sydney Roop, Town Clerk*

*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.*