

**MINUTES OF THE REGULAR MEETING OF THE GENERAL
ASSEMBLY**

TOWN OF OPHIR, CO 81426

TUESDAY JANUARY 16TH, 2024 7:00 PM

OPHIR TOWN HALL 36 PORPHYRY ST.

Video and audio recording available upon request

1) CALL TO ORDER

Andy Ward calls the meeting to order at 7:04pm

VOTING MEMBERS PRESENT: Gerry Oyama, Teri Steinberg, Marc Campbell, Phil Hayden, Andy Ward, Mark Rosenthal, Judah Kuper, Todd Rutledge, Eric Beerman, Jacey Depriest, Kim Wheels, Larry Rosen, Joe Schultz, Lisa Rutledge, Cara Binkley, Travers Mitchell, Sue Hehir, Luke Leighton, John Humphries, Valerie Sloan

NON-VOTING MEMBERS: Joan May, John Wontrobski, David McConaughy, Joseph Waller, Sam Bennett

2) ADOPTION & SIGNATURE December 19th, 2023 Regular GA minutes

Mark Rosenthal motions to approve and adopt, Judah Kuper seconds
All in Favor (Yay): Unanimous

3) APPROVAL OF AGENDA

Todd Rutledge motions to approve and adopt September agenda, Teri Steinberg seconds
All in Favor (Yay): Unanimous

4) BUSINESS ITEMS

A) EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION WITH TOWN ATTORNEY

Andy Ward motions, Judah Kuper seconds
All in Favor (Yay): Unanimous

Executive session begins @ 7:11 and recording is stopped

Executive session ends @ 8:25 and recording is resumed

Andy requests that if anyone has any concerns regarding the discussion during the executive session to speak now. No one speaks.

B) CONSIDERATION OF POSSIBLE RESPONSE TO WALLER/CORNWALL/WHITAKER THREAT COMMUNICATION

Todd Rutledge motions that the town of Ophir takes steps to investigate making changes to our land use code relative to the avalanche hazard zoning, Mark Rosenthal seconds

Discussion ensues.

Phil Hayden notes that we have done this before and P&Z has investigated this for years. Who are we and where are we going?

Doesn't see how revisiting our LUC gets us anywhere.

Kim requests that it be included in the motion that staff is to investigate the land use code. It is not a commitment that we will change anything, it is an investigation to figure out what it will potentially take so the GA can discuss it.

Todd agrees to amend the motion.

David does not think that the motion needs amending, since it was originally understood to be a request to have staff investigate.

Andy calls for a vote. A voice vote is taken but the vote is close so it is taken individually.

During the vote Cara asks that the motion be restated. The motion is restated by David: "The motion is to direct staff to investigate what a land use code amendment would look like and report back to the GA"

All in favor (yay): Joe Schultz, Todd Rutledge, Lisa Rutledge, Kim Wheels, Travers, Larry Rosen, Teri Steinberg, Marc Campbell, Cara Binkley, Jacey Depriest, Judah Kuper, Andy Ward, Mark Rosenthal,

All not in favor (nay): Eric Beerman, Sue Hehir, Lucas Leighton, Valerie Sloan, Phil Hayden, John Humphries

MOTION PASSES 13-7

B) CREATION OF CHARTER REVIEW COMMITTEE

Mark Rosenthal explains that it is best practice to review the town charter every ten years and to have the town attorney review it independently.

Kim volunteers to be on the committee

David notes he has written the charters for New Castle and Basalt and offers his assistance.

John Wontrosbski proposes a recommended change for the way abstentions are counted currently in Ophir.

Eric Beerman would like to join the committee if he can attend via Zoom.

Kim notes it would be good to have an odd number of community members on the committee.

Todd wonders if people could join the committee if they are not in attendance of the current meeting.

John Wontrosbski says that they can since committee members are not being voted on.

John Wontrosbski notes that the committee would make recommendations that would be voted on by the town via ballot, not at a GA.

5) STAFF REPORTS

Town Manager: no report

Andy asks about water report, John Wontrosbski reports that it should be coming soon.

P&Z: Judah is looking for a replacement for the chair of the board and is also looking for more board members

- i) John Humphries presents on behalf of OEC regarding open spaces and weed management in Ophir

6) NEW BUSINESS

No new business

7. ADJOURN

Andy adjourns the meeting @ 9:23pm

Minutes prepared by Ben Foster, Town Clerk

Audio and video 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.