

**MINUTES OF THE REGULAR MEETING OF THE GENERAL  
ASSEMBLY  
TOWN OF OPHIR, CO 81426  
TUESDAY, January 19th, 2021 7:00 PM  
REMOTE MEETING VIA ZOOM PLATFORM**

**CALL TO ORDER**

(7:03PM)

(Voting Member: Sydney Roop, Ernie Watenpaugh, John Humphries, Allison Synder-Kingsley, Hank Shell, Phil Hayden (970-728-3204) Andy Martin, Paul Emrick, Tyler Schultz, Natalie Fijalkowski, Abby Herman, Tim McGough, Kim Wheels )

(Non Voting Member: Ken Haynes, Cindy Wyszynski, Corinne Platt, David Callicott, Steve Johnson)

**ADOPTION & SIGNATURE OF December 15th MEETING  
MINUTES**

Sydney motions to approve and adopt, Allison seconds

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John Humphries, Hank Shell, Paul Emrick, Phil Hayden

Not in favor (No):

Abstain:

The ayes have it and the motion is carried to adopt the December 15th, 2020 General Assembly meeting minutes.

**APPROVAL OF AGENDA**

Sydney motions to approve and adopt tonight's agenda, Allison seconds

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John, Hank, Paul, Phil, Tyler, Natalie,

Not in Favor ( No):

Abstain:

The ayes have it and the motion is carried to approve tonight's agenda.

**BUSINESS ITEMS**

**A. COVID Update**

Update from Ken about COVID.

**B. Consideration of Approval of Resolution 2021-2, Adopting the 2021 Master Plan**

Corinne motions to adopt the Master Plan as rewritten for the 2021 Master Plan, Allison seconds.

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John, Hank, Phil, Natalie, Tyler, Abby

Not in Favor ( No):

Abstain: Paul

The yes's have it and the motion is carried by the The General Assembly adopting the 2021 Master Plan and Resolution 2021-2.

**C. Second and Final Reading, Approval and Adoption of Ordinance 2021-1, Amending 2017-1 in part to Allow Redaction of Voter Identification Information from Election Ballots in the Event of a Public Record Request for Paper Ballots that have been cast, Designating the Town Clerk as the Designated Election Official for All Non-Coordinated Municipal Elections, Providing that Nominations for Elections of Town Officers shall be made at the General Assembly Meeting in the month of December preceding the annual January Election, Allowing the Town Clerk to cancel an Election as to any office that is uncontested, and during the Period of Time which a State Disaster Emergency Due to Pandemic is Declared: 1) Provisionally Providing for a Delay of the annual Election; and allowing the Town Clerk to count, canvas, and tally the ballots cast prior to the completion of the election with the assistance of a monitor designated by the Mayor, and to Certify the Election Results to the General Assembly after 7:00PM on the day of the Election**

Corinne motions to pass the second and final reading of Ordinance 2021-1, Sydney seconds.

All in Favor (Yes): Sydney, Andy Martin, Ernie, Allison, John, Hank, Paul, Phil, Natalie, Tyler, Abby, Kim

Not in Favor (No):

Abstain:

The yes's have it and the motion to pass the second and final reading is carried, Ordinance 2021-1 is approved and adopted by the General Assembly.

**D. Elections of Town Staff and Officers taking the Oath of Office.  
Corinne Platt for Mayor, Paul Emrick for Mayor Pro Tem,  
Sydney Roop for Clerk, Cindy Wyszynski for Treasurer**

There are no further nominations for these offices at the January General Assembly Meeting. Sydney Roop, Town Clerk, cancels the 2021 Staff Election seeing there are no contested offices as Ordinance 2021-1 allows in Section 4 and 5.

Corinne Platt assumes the office of Mayor and takes the Oath of Office, Paul Emrick assumes the office of Mayor Pro Tem and takes the Oath of Office, Sydney Roop assumes the office Clerk and takes the Oath of Office, Cindy Wyszynski assumes the office Treasurer and takes the Oath of Office. All of these terms are for one year.

**E. Planning and Zoning Appointments. Mark Ridders for Full time,  
Allison Snyder Kingsley for Full Time, Ernie Watenpaugh for  
Alternate Seat**

Sydney motions to appoint Mark Ridders and Allison Snyder-Kingsley for full time planning and zoning seats, and Ernie Watenpaugh for an Alternate seat, Valerie seconds.

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John, Hank, Paul, Phil, Natalie, Tyler, Abby, Kim, Val, Tim.

Not in Favor (No):

Abstain:

The yes's have it and the motion is carried to appoint Mark Ridders, Allison Snyder-Kingsley to full time seats to the Planning and Zoning Commission and Ernie Watenpaugh for an Alternate Seat to the Planning and Zoning Commission all for terms ending in January 2022.

**F. Consideration of Approval of Resolution 2021-3, Amending the  
2020 Budget**

Sydney motions to approve Resolution 2021-3 Amending the 2020 Budget, Corinne seconds

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John, Hank, Paul, Phil, Natalie, Tyler, Abby, Kim, Tim

Not in Favor ( No):

Abstain: Val

The yes's have it and the motion is carried by the General Assembly to approve Resolution 2021-3.

**G. Consideration of Approval of Resolution 2021-1, Summarizing Expenditures and revenues for Each Fund, Adopting a Budget for the Town of Ophir, Colorado for the Calendar Year Beginning the First Day of January 2021, and Ending on the Last Day of December 2021**

Sydney motions to approve Resolution 2021-1, Allison seconds.

All in Favor (Yes): Sydney, Andy, Ernie, Allison, John, Hank, Paul, Phil, Natalie, Tyler, Abby, Kim, Val, Tim

Not in Favor ( No):

Abstain:

The yes's have it and the motion is carried by the General Assembly to approve Resolution 2021-1

**H. Second and Final Reading, Approval and Adoption of Ordinance 2021-3, Allocating Funds to Match Southwest Water Conservation District Grant for Werner Spring Infiltration System Replacement**

Sydney motions to approve and adopt Ordinance 2021-3, Corinne approves.

All in Favor (Yes): Sydney, Andy, Tyler, Natalie, Allison, Ernie, John, Val, Paul, Phil, Hank, Abby, Tim, Kim

Not in Favor ( No):

Abstain:

The yes's have it and the motion is carried by the General Assembly to approve and adopt Ordinance 2021-3.

Additionally, there is an administrative commitment from town staff to have the re-vegetation plan reviewed by the Ophir Environmental Commission and others before the digging begins of the area disturbed by the excavation caused by the Werner Spring Infiltration System replacement.

**I. Introduction and First Reading Ordinance 2021-4, Approving an Agreement with Bee Happy Lands for 2021 Organic Integrated Weed Management for Town Own Property**

Valerie motions to approve 2021- 4 first reading, John Humphries seconds.

All in Favor (Yes): Sydney, Andy, Tyler, Natalie, Allison, Ernie, John, Val, Phil, Paul, Hank, Abby, Tim,

Not in Favor ( No):

Abstain:

The yes's have it and the motion is carried by the General Assembly to refer Ordinance 2021-4 to a second reading for final approval and adoption.

**J. Speeding Management Discussion**

Discussion amongst the General Assembly as to how best to mitigate and enforce speeding in Ophir.

Tyler makes a motion to address town staff to draft an Ordinance to lower the speed limit to 10MPH in residential areas in East and West Ophir where the houses are located. Val seconds.

Yay: Sydney, Andy, Ernie, Allison, Kim, John, Val, Phil, Paul, Tim, Abbey, Tyler, Natalie

Nay:

Abstain:

The yes's have it and the motion is carried by the General Assembly for town staff to draft an Ordinance to lower the speed limit to 10MPH in residential areas.

### **K. Continued 2% Sales Tax Discussion and Long term Budget Discussion**

Discussion amongst the General Assembly regarding the 2% sales tax Ordinance that was approved in 1996. The 2% sales tax would apply to online sales in the Town of Ophir. This item was discussed at the December 15th, 2020 Regular GA Meeting. The options for this Ordinance are to 1) Repeal the Ordinance at the November 2nd, General Election. 2) Accept the Tax. 3) Modify and Update the Ordinance as the General Assembly would like. The General Assembly likes the idea and believes the "RETT well" will eventually run dry. The General Assembly wants to see more information on what, how, and who this will effect in Town. The Ordinance also includes annual sales tax vendor fees, sales tax license fee, business permits. "In order to do business in the Town of Ophir, you need to have a license." The General Assembly agrees that the prices for the licenses are low. An idea is to model the prices after Telluride and Mountain Village.

## **5. STAFF REPORTS**

Town Manager (Ken Haynes): Ken goes over how 2020 RETT funds were spent.

Town Mayor (Corinne Platt): No report.

Town Clerk( Sydney Roop): Ophir Self Reliance Committee meeting this Thursday.

Treasurer (Cindy Wyszynski): N/A

Ophir Environmental Chairperson ( Monica Carey): N/A

Planning and Zoning Chairperson ( Allison Snyder-Kingsley): P&Z is working on greenhouse amendments, moderate avalanche zoning, ways to deal with enforcement, land use code revisions and Ken is transitioning out of the Building Inspector role.

Val gives a COVID update.

## **6. NEW BUSINESS**

John Humphries has new business involving the “Puma” Cabin. The road was plowed up to the cabin. John requests town staff to follow up with San Miguel County because plowing is not allowable on that section of County Road D65 due to the High Country Zoning above 10,000 ft.

## **7. ADJOURN**

Unanimous Consent from the General Assembly to adjourn.



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

2/23/2021

\_\_\_\_\_  
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.***