

**MINUTES OF THE EMERGENCY MEETING OF THE GENERAL ASSEMBLY
TOWN OF OPHIR, CO 81426
Wednesday, July 15th, 2021 7:00 PM
REMOTE MEETING VIA ZOOM PLATFORM**

AGENDA

Voting Members Present: Phil Hayden, Wendy Basham, Ernie Watenpaugh, Corrine Platt, Janice Gerona, Jerry, Terry Steinberg, Sue Herir, Dayna, Rachel, Allen Hart, Keith, Joe Shultz, Jerry Oyama, John Humphries, Ryan Ehlers, Jacey DePriest, Dave,
Non-Voting Members Present: Jason (SGM), Steve Johnson, Ken Page, Cindy (Treasurer)

1. CALL TO ORDER

Call to order (7:02pm)

2. ADOPTION & SIGNATURE OF MAY 18, 2021, MEETING MINUTES

Adopt and Sign May 18th Meeting Minutes

Corinne Motions to Adopt, Janice Gerona Seconds

Unanimous consent, motion passes

3. APPROVAL OF AGENDA

Approval of tonight's agenda

Corrine Motions to Adopt, Janice Gerona Seconds

Unanimous Consent, motion passes

4. STAFF UPDATES

5. BUSINESS ITEMS

A. Motion and Vote to Approve Water Planning & Engineering Contract – SGM (15min)

Steve Johnson recommends town votes to approve contract on the condition that town attorney reviews and edits prior to signing

Phil Hayden motioned to approve SGM Contract subject to review and approval from town attorney, Allen Hart seconds

The ayes have it, motion to approve SGM contract subject to review and approval from town attorney carries

B. Motion and Vote to Approve Temporary Waiver Under the Rule of Necessity to Appoint Non-Resident to Clerk Position – Steve (15 min)

Janice Gerona motions to approve a temporary waiver to appoint non-resident to clerk position, Phil Hayden Seconds

The ayes have it, motion carries

C. Motion and Vote to Approve Interim Administrative Personnel Hire (15 min)

Phil Motions, Janice seconds to approve interim administrative personnel hire

The motion carries unanimously

D.3%-2% Use Tax Rebate Discussion – Steve (10 min)

Research reveals that tax rebate can go back as far as GA would like. 3 or more years.

E.Monthly Paid Invoices and Budget – Cindy (5min)

F.Avalanche Hazard Discussion – P&Z (15 min)

Liability of owner and town for building in moderate hazard zones. We decide on a return period that P&Z deems acceptable for building a moderate hazard zone, design standards would be of a 200yr standard (Ernie recommendation). Ophir needs a 2- or 3-dimensional analysis, must make sure town is not being in negligent and hold analysis to a certain standard.

Steve-does not see much exposure to legal action in P&Z denying applications to build in moderate hazard zones. Relying to the fact that modeling is not absolute, slides have occurred outside of the mapped zones. Agrees with Ernie on new modeling, require analysis of individual buildings if they can withstand hazards. Special use permits for moderate hazard zone construction refers to existing structures.

L.Helitrax Liability Waiver – Helitrax (5 min)

Joe Shults worried about liability of damages to Tri-State power lines and homes in Ophir on potential avalanche mitigation work.

G.Clerk Position Nomination – Steve (5 min)

No nominations

H.Motion and Vote to Approve Location of Emergency Horn – Ken (5min)

Joe motions to disapprove of emergency horn, Phil seconds.

The Ayes have it, motion to deny county emergency horn passes

I.Motion and Vote to Approve Bee Happy Lands / Increase Crew Size - OEC (5 min)

Judah motions to approve Bee Happy Lands crew size increase with money coming from OEC fund, Janice seconds

J.Resolution 2021-7 Creation of the Water Advisory Committee – Ken (10 min)

Ernie motions to not approve resolution 2021-7, and establish a citizen action committee for the current water project (SGM), Dayna seconds

Motion passes unanimously.

K. P& Z Nominations – P&Z (5 min)

Ernie motions for Phil Hayden, Valerie Sloan, Jenn Rose, Janice Gerona to retain their seats on the P&Z committee. 1 year terms. Terry seconds

Motion passes unanimously.

M. Town Manager Transition Discussion

Janice motions to maintain Ken’s current contract with adjustment, Phil seconds

Motion passes unanimously

6. NEW BUSINESS

Sue proposes naming Ophir parking lots, ie Sunshine lot so we can direct people there.

7. ADJOURN

Corinne motions to adjourn, Ken seconds.
Ayes have it, motion passes unanimously.

Town Clerk, Mason Osgood

Date

Minutes prepared by Mason Osgood, 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.