

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

TOWN OF OPHIR, CO 81426

TUESDAY SEPTEMBER 16TH, 2025 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 7:08pm

VOTING MEMBERS PRESENT: Annabelle O'Neill, Jerry Oyama, Chris Dickson, Emma Christenson, Kirk Drogsvold, Abby Gamache, Ben Foster, Andy Ward, Joan May, Daniel Forgrave, Ryan Ehlers, Gunnar Doyle, Melanie Kent, Catherine Gockley, John Humphries, Teri Steinberg, Eric Beerman, Phil Hayden, Todd Rutledge, Natalie Fijalkowski, Tyler Shultz, Mark Worth, Cara Binkley, Chris Drew, Jacey DePriest, Kim Wheels, Larry Rosen, Joe Shults, Greg Hope, Slator Aplin, Leigh Sullivan, Dave Chew, Mark Campbell

NON-VOTING MEMBERS: John Wontrobski, Haley Carmer, Kara Gray, Sheamus Croke, Mollie, Mark Pearson, Glenn Pauls, Corey Heisler, Trevor Pauls

2. ADOPTION & SIGNATURE of August 19th 2025 Regular GA minutes

Joe motions, Gunnar seconds.

All in Favor (Yay): Unanimous

3. APPROVAL OF AGENDA

Gunnar motions, Joan seconds.

All in Favor (Yay): Unanimous

**4. a) EXECUTIVE SESSION FOR PURPOSES OF DISCUSSION
WITH TOWN ATTORNEY**

Andy motions, Joan seconds
All in Favor (Yay): Unanimous

Executive session begins @ 7:14 and recording is stopped.

Executive session ends @ 7:22 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) Continuation for Public Hearing: Consideration of Ordinance #2025-02, AN ORDINANCE AMENDING THE TOWN OF OPHIR HAZARD OVERLAY MAP REGARDING AVALANCHE ZONES on second reading:

Mark Worth states as we consider amending maps we should think about long-term impacts, potential for future residents to be in danger of a slide impacting them.

Phil is curious about where the lots will be relative to the map change.
Concerned about why Foley changed the map.

Andy responds they have no record of why they made changes, but notes no new studies were done.

Joe thinks the Foley map may have been copying the EPD land planners map drawn in 1994 (again no new study).

Haley states we could modify the ordinance to add a note stating historical avalanche evidence.

Cat states she has concerns, and thought there would be a new study.

Hailey notes there was direction from the GA not to conduct a new study for several reasons, one being cost.

Andy notes an avalanche expert was consulted to assess whether this amendment to fix the map made sense – and they concurred.

Mark Worth asks that the title of the property includes notification of potential avalanche hazard.

Teri notes that including indemnification in the ordinance is helpful to put future buyers on notice.

Gunnar states that the InStarr study and map do not assign hazard to the “Waller Thumb”. Intention of amendment is to get our adopted map to match the study map as closely as possible.

Phil states it would be okay to re-study our avalanche map and thinks it’s time.

Andy replies the GA gave direction not to do a new study, and that the town is following precedent set by other CO and AK mountain towns that deal with avalanche hazards.

Cat echoes Phil’s sentiment.

Ryan states building in the county near hazards requires engineering by property owner.

Joan motions to approve the motion.

Todd requests adding language to include indemnification notice in ordinance.

Joan motions to approve the ordinance 2025-2, an ordinance amending the town of Ophir hazard overlay map regarding avalanche zones with the amendment suggested by town attorney.

Slator seconds.

ROLL CALL VOTE TAKEN:

YES: Eric B, Teri S., Annabelle O., Chris D., Emma C., Kirk D., Abby G., Dan F., Cara B., Jacey D., Kim W., Melanie K., Natalie F., Tyler S., Sue H., Todd R., Gunnar D., Slator A., Joan M., John H., Andy W., Ben F., Joe S. (23)

NO: Phil H., Allyn H., Catherine G., Jerry O., Larry R., Leigh S, Mark W. (7)

MOTION PASSES

c) Public Hearing: Consideration of Ordinance 2025-3, AN ORDINANCE AMENDING THE TOWN OF OPHIR HAZARD OVERLAY MAP, on second reading

Todd Motions to approve, Slator seconds.

ROLL CALL VOTE TAKEN

YES: Eric B., Mel K., Allyn H., Annabelle O., Chris D., Emma C., Kirk D., Abby G., Dan F., Cara B., Jacey D., Jerry O., Kim W., Natalie F., Tyler S., Sue H., Teri S., Mark C., Dave C., Chris D., Larry R., Todd R., Gunnar D., Slator A., Joan M., Joe S., John H., Andy W., Ben F. (28)

NO: Phil H., Mark W., (2)

MOTION PASSES

d) Haley Carmer outlines Waller settlement agreement.

Gunnar motions to approve settlement agreement and authorize the mayor to sign. Slator seconds.

VOICE VOTE TAKEN: 5 no votes, motion passes.

e) P&Z appointments

Gunnar notes Maddie Crowell has volunteered for alternate position.

Mark W. motions to approve current 3 members and new alternate. Phil seconds.

VOICE VOTE TAKEN: Unanimous approval.

5. STAFF REPORTS

OEC- Town received a grant this spring for a rocket composter, has been ordered and is waiting on delivery. Current composters are working better now thanks to Phil's fixes.

P&Z – First LUC review meeting was this month, making progress towards updates but it will be a lengthy process. Looking at draft ordinance for solar regulations. 2018 was the last time there were zoning changes.

PUBLIC WORKS – SGM water report was delivered in 2023 including usage and demand projections, water supply and delivery. Joe is mainly working on capital improvements list and has been going through line by

line determining what really needs to be done. Andy requests assistance with redwood box installation.

MANAGER – John thanks Joe for his hard work on public works.

Cindy notes 2026 prelim budget will be presented at next GA. We will have to vote on approval of additional funding.

In 2026 a new CO law will require producers of recyclables to pay into a fund that will cover our recycling bill. Not anticipating any change to town fees because of this.

Plow blade for new backhoe is on order. Delivery time currently unknown.

6. NEW BUSINESS

Kim notes EcoAction has a green grants program providing funds for anything related to energy efficiency in your home. Deadline is in about two months. Heat pump financing is available through SMPA. Home solar credits are expiring at the end of the year.

Eric Beerman notes a petition is circulating to change the form of Ophir government to town council. Was not informed the charter review committee of which he was a member was disbanded.

John W. notes he has recieved the petition, but it does not meet the state standards for a charter amendment election but it does meet GA requirements which requires that it be discussed at the next GA meeting.

Eric motions to approve an ordinance for charter review committee discussion for 30 minutes at upcoming GA meetings. Natalie seconds.

Discussion ensues and it is determined that Eric can just direct the Clerk to put the disussion on the next agenda – Motion is then withdraw and Eric directs clerk to put the item on next months agenda. Town Clerk agrees to do so.

8. ADJOURN

Andy adjourns the meeting @ 9:16pm

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.