

**RESOLUTION  
BOARD OF COUNTY COMMISSIONERS  
OURAY COUNTY**

**Re: Seasonal Closure of CR2 and CR4**

At a regular meeting of the Board of County Commissioners for Ouray County, Colorado held at the Court House, Ouray, Colorado on the \_\_\_\_ day of \_\_\_\_\_ A.D., **2005**.

When the following proceedings, among others, were had and done, to-wit:

**WHEREAS**, the DEPARTMENT OF NATURAL RESOURCES, acting by and through the COLORADO DIVISION OF WILDLIFE and the WILDLIFE COMMISSION (DOW), owns and manages approximately 4700 acres of land in Ouray County (COUNTY), known as the Billy Creek State Wildlife Area (PROPERTY); and,

**WHEREAS**, the PROPERTY is managed primarily as winter range for big game animals and as protected habitat for all wildlife; and

**WHEREAS**, there is a seasonal closure on the PROPERTY enacted by DOW regulation closing the PROPERTY to all public use from January 1 through March 31 of each year; and

**WHEREAS**, said regulation was enacted to minimize damage to adjacent private land from big game animals by restricting human activity on the PROPERTY during the winter months; and,

**WHEREAS**, the COUNTY and the DOW both desire to protect wildlife and wildlife habitat; and,

**WHEREAS**, the COUNTY owns title to several public roads intersecting and/or adjoining the PROPERTY, including but not limited to Ouray County Roads 2 and 4; and,

**WHEREAS**, the DOW has physically closed the above mentioned County Roads at or near the PROPERTY boundary for at least the past 7 years from January 1 through March 31 of each year; and,

**WHEREAS**, the COUNTY does not maintain any of these roads during the winter months, and provides minimal maintenance on these roads during the remainder of the year; and

**WHEREAS**, public use of the County Roads during the winter months increases COUNTY liability and maintenance costs on said roads; and,

**WHEREAS**, the DOW currently cannot enforce the seasonal closure regulation on the County Roads intersecting the PROPERTY; and,

**WHEREAS**, continued public use of the County Roads during the seasonal closure period increases movement of wintering big game animals to private land; and,

**WHEREAS**, the DOW does not unreasonably restrict private landowners in the area from accessing their land during the closure period via the County Roads; and,

**WHEREAS**, the closure of the above mentioned County Roads is mutually beneficial to wildlife, the residents of the COUNTY and the people of the State of Colorado.

**THEREFORE, BE IT RESOLVED** that:

1. The COUNTY hereby allows the DOW to physically close Ouray County Road 2 and Ouray County Road 4 to all public use during each annual seasonal closure period as determined by DOW (currently Jan 1 through March 31).
2. For the purposes of this resolution the term "all public use" shall include public access by any and all motorized and non-motorized means.
3. The COUNTY hereby allows for the DOW to monitor for any violation of the seasonal closure regulation on the County Roads and bring enforcement actions at its discretion against any person in violation of said regulation in accordance with DOW law enforcement policies and procedures, Wildlife Commission Regulations and Statutes of the State of Colorado.
4. Closure of said County Roads shall not unreasonably restrict access to private property.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2005.

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

\_\_\_\_\_  
Don Batchelder, Chair

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Michelle Nauer, Clerk and Recorder

\_\_\_\_\_  
Tom Hollenbeck, Vice-Chair

By:

\_\_\_\_\_  
Linda Munson-Haley,  
Clerk of the Board

\_\_\_\_\_  
Heidi Albritton, Member