

**A RESOLUTION OF THE  
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO  
TO ESTABLISH LIMITATIONS ON THE USE OF CERTAIN COUNTY PROPERTY (GRAVEL PITS)**

**WHEREAS**, the Board of County Commissioners of Ouray County, Colorado (“Board”) is empowered under C.R.S. §30-11-107(a) to “make such orders concerning the property belonging to the county as it deems expedient”; and

**WHEREAS**, the Board is empowered under C.R.S. §30-11-107(e) to provide for the management of the business and concerns of the County; and

**WHEREAS**, pursuant to C.R.S. §18-9-117 the Board is empowered to make such orders, rules and regulations for the administration, protection and maintenance of county-owned property as it deems appropriate, specifically related to restrictions or limitations of the use of public property as to time, manner or permitted activities and the prohibition of activities on public property which may constitute a general nuisance; and

**WHEREAS**, Ouray County is the owner/operator of two gravel pits known as the Triple R Gravel Pit, more commonly referred to as the “Colona Pit” and the Dallas Creek Gravel Pit, more commonly referred to as the “BLM Pit” (collectively referred to as the “Gravel Pits”); and

**WHEREAS**, the operation of the Gravel Pits by Ouray County is regulated by the Mine Safety and Health Administration (“MSHA”) which has strict regulations as to activities and use of the Gravel Pits; and

**WHEREAS**, MSHA regulations do not permit members of the public to enter upon or be present at the Gravel Pits; and

**WHEREAS**, the Board has received information that trespassing on the Gravel Pit properties has been occurring by members of the public for the purpose of hunting or other recreational types of activities; and

**WHEREAS**, in order to ensure the safety of the citizens and general public of Ouray County as well as to ensure that the Gravel Pits are in compliance with applicable MSHA regulations, the Board has determined that specific restrictions on the use of the area of the Gravel Pits, defined by the perimeter fencing of the Gravel Pits, are necessary; and

**WHEREAS**, the Board has determined that the Gravel Pits are and shall be closed to all members of the public and that only authorized Ouray County employees, agents or representatives of Ouray County may be present at the Gravel Pit sites; and

**WHEREAS**, the Board adopts this resolution pursuant to the authority granted by C.R.S. §18-9-117, as the Board believes that the adoption of this Resolution and the restrictions on the use of the Gravel Pits is necessary and will serve the health, safety and welfare of the residents of, and visitors to, Ouray County.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:**

1. The area of the Gravel Pits, as defined by the perimeter fencing at the Colona Pit and the BLM Pit, shall be closed to the public and no persons, other than authorized Ouray County employees or agents or representatives

of Ouray County and state or federal inspectors may be present at the Gravel Pits at any time.

- 2. Notice of the limitations on the use of the Gravel Pits shall be prominently posted at the entrance to the Gravel Pits.
- 3. The regulation of the use of the Gravel Pits, as described herein, may be enforced by any Colorado peace officer pursuant to the provisions of C.R.S. §18-9-117.

APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2008.

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

Attest:

\_\_\_\_\_  
K. Keith Meinert, Chair

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Don Batchelder, Vice Chair

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Michelle Nauer, Clerk and Recorder  
By: Linda Munson-Haley, Deputy Clerk of the Board

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Heidi M. Albritton, Commission Member