

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO
CONCERNING THE TEMPORARY CLOSURE
OF A PORTION OF
SAN MIGUEL COUNTY ROAD K69**

Resolution #2003- 19

WHEREAS, the San Miguel County Board of Commissioners (the "Board") has received a request from the Idarado Mining Company, a Delaware corporation, ("Idarado") for a temporary closure of San Miguel County Road K69 to public motor vehicle traffic, beginning at the point where C.R. K69 passes through the gate at Idarado's Pandora mill site and continuing for a distance of approximately one-quarter mile to the east of the mill site gate; and,

WHEREAS, Idarado's representatives have advised the Board that because of unusually high levels of spring runoff that it currently appears that certain detention ponds and other water courses constructed by Idarado in proximity to C.R. K69 may be insufficient to contain the pond water levels associated with the increased spring runoff, necessitating the closure of that section of C.R. K69 to public motor vehicle traffic until the water runoff can be adequately mitigated; and,

WHEREAS, Section 42-4-106(1), C.R.S., authorizes the Board of Commissioners to temporarily close roads in the County system for a total period not to exceed ninety (90) days in any one calendar year, whenever any said road by reason of deterioration, rain, snow, or other climactic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights of such vehicles is reduced; and,

WHEREAS, the Board does hereby find that the current condition of that section of C.R. K69 beginning at the gate at Idarado's Pandora mill site and continuing for a distance of approximately one-quarter mile, is such that by reason of deterioration, rain, snow, or other climatic conditions, it would be seriously damaged or destroyed unless the use of motor vehicles thereon, as well as motorcycles, by the public, is prohibited for a period of time not to exceed ninety (90) days from the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE SAN MIGUEL COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. Pursuant to Section 42-4-106(1), C.R.S., that section of C.R. K69 beginning at the gate at Idarado's Pandora mill site and continuing in an easterly direction for a distance of one-quarter mile, through the Pandora mill site, is temporarily closed to all public motor vehicle traffic, as well as motorcycle usage by the public, for a period not to exceed ninety (90) days from May 28, 2003, unless such temporary closure is rescinded by action of the Board prior to the expiration of the ninety-day temporary closure period.
2. Idarado has indicated that it will advise the San Miguel County Road & Bridge Superintendent ("Road Superintendent") when conditions at the mill site ponds require the physical closure of that section of C.R. K69 beginning at the Pandora mill site gate and that Idarado will proceed to install an appropriate temporary earthen berm at that location. During such temporary closure, Idarado has indicated that it will provide alternative public pedestrian and bicycle access through its mill site property. Idarado has further indicated that it will advise the Road Superintendent when it no longer requires the temporary closure of that section of C.R. K69 that is the subject of this resolution, at which time Idarado will arrange for the removal of the temporary earthen berm.

- 3. The Road Superintendent is hereby directed to cause the posting of suitable public notices of this temporary closure of the portion of C.R. K69 beginning at the gate at Idarado's Pandora mill site and proceeding in an easterly direction for approximately one-half mile through the Pandora mill site property. Such signage shall be posted upon the Road Superintendent being advised by Idarado personnel that it will be proceeding with the installation of the temporary road closure berm. The Road Superintendent is further directed to periodically inspect, or cause to be inspected, such road closure notices and to cause such notices to be repaired and/or replaced in the event of their damage or destruction during the temporary closure period. Idarado personnel shall advise the Road Superintendent when it intends to remove the temporary earthen road closure berm, at which time the road closure signage shall be removed. Upon the removal of such signage the temporary road closure authorized by this resolution shall no longer be in effect.

DONE AND ADOPTED, by the Board of Commissioners of San Miguel County, Colorado, at a public meeting held in Telluride, Colorado, on May 28, 2003.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

Elaine R.C. Fischer
Elaine R.C. Fischer, Chair

Vote:	Elaine R.C. Fischer	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent
	Vern Ebert	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent
	Art Goodtimes	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent

ATTEST:

Marie A. Thomas
Marie A. Thomas, Chief Deputy Clerk



pc: Idarado Mining Company, P.O. Box 97, Telluride, CO 81435
Road & Bridge Department
Sheriff's Office
County Attorney's Office
Planning Department

OAD&BRIDGE\K69 Resolution #2003- re Temp Closure