



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Division of Parks and Wildlife  
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December 7, 2015

John Staight

Town of Eagle Open Space

Craig Wescoatt

Eagle Wildlife Manager

Hay Meadow Boundary Fence

Hi John,

Scott asked me to write a letter with the Colorado Division of Parks and Wildlife's (CPW's) recommendations for the boundary fence on the Hay Meadow property. The CPW recommends that no fences be constructed unless there is a valid agricultural purpose or for human safety reasons. Should a fence be constructed then the Town has been provided with the standards reducing the impacts of that fence on wildlife movement. My understanding is that the Town prefers the "no fence" option and that would align with best wildlife management practices. Let me know if you have any questions or concerns regarding this correspondence.

Regards,

Craig Wescoatt

970 948 0354



John Cook 419 Harrier Circle. This concerns termination and settlement with Mr. Stavney. A suggestion toward regaining trust of groups regarding Open Meetings Act and suggestion and offer to split cost of mediator to review recordings made of the executive session regarding any decisions made to ensure the board complied with the law.

Melanie Richmond 95 Big Safe Ct. – Offered assistance with the search - if citizens can be involved.

### **PRESENTATIONS**

Eagle Police Department Officer Commendation – Chief Staufer

Chief Staufer provided background for commendation of Officer Jeremy Hawkins for his efforts regarding assistance with a citizen.

### **LIQUOR LICENSE AUTHORITY**

Brush Creek Saloon – Renewal Application (Town Clerk and EPD) *(Due to incidences documented by Eagle PD, applicant was requested to appear.)*

Sgt. Toy provided history of contacts made by EPD at Brush Creek and provided information regarding plan to resolve concerns with over service. Sgt. Toy provided update regarding applicant's cooperation and provided information regarding attempts and plans to address issues cooperatively with applicant to voluntarily participate in the review process. Suggested review will be conducted by EPD staff and Town Clerk. Decision to return to TBOT for review will be made administratively. Updates will be provided.

Ed Sands noted that the Board can set a public hearing to review violations or concerns if it deems necessary. The agenda item tonight is review and update only. Clarified that conditional approval is not being sought, rather the public hearing would need to occur.

Trustee Baker requested statistical data regarding comparisons with similar establishments.

Town Board wanted consideration taken for Brush Creek because there are no other establishments open as late in Eagle.

### **DISCUSSION, DECISIONS OR DIRECTION REQUESTED**

1. MEAC Event Funding – Amy Cassidy *(Request for Board approval of MEAC recommended event funding for 2016)*

Amy Cassidy provided slide presentation, highlighted new events and also outlined MEAC review and proposal process.

MOTION: Trustee Brubeck motioned to accept MEAC's funding proposal for special events and community requests for 2016. Trustee Jessen seconded. Motion was approved unanimously.

2. Haymeadow Wildlife Fence – John Staight and Scott Schlosser *(Request regarding necessity of wildlife fencing)*

John Staight Open Space Coordinator presented this item. Scott Schlosser representing the property owner was also present. John Staight outlined the request. Current fencing for this property is barbed wire along BLM and haymaker boundary no northern and eastern addressed in the Annexation and Development Agreement. ADA reads to have the fence to delineate property from BLM and keep livestock from entering the property. Scott Schlosser has obtained a grant for wildlife friendly fencing and has since discovered DOW would prefer no fence. Consultants were contacted regarding this proposal and area regarding fence. Timing of the fence requirement is upon final plat, thereby the fence is not required at this time. The agreement going forward would be to reevaluate when timing of the development as it is spelled out in the ADA. Due to circumstances regarding grazing on this portion of BLM, livestock is not using this area, as it is not suitable for grazing as it once was. If that case continues, the fence may be moot, but will be decided at a later time when designated in the ADA. Fencing requirements do affect town Open Space and ultimately the Town would be responsible for fencing out any potential livestock (if there were no fence). Two options are available: Haymeadow can use existing materials and install wildlife friendly fence. Fences do help control pirate trails. In general, waiting for BLM to determine what its intent is for that grazing parcel. Installing new fence should be postponed to determine if it is needed at the time of the ADA. This would allow Scott to return the fencing obtained by the grant to the Department of Wildlife.

Ed Sands stated he has spoken to Abrika's attorney and is staff is looking to update the board regarding the DOW's statement regarding the need for fence in this area and for direction on whether the Town is interested in fencing with the wildlife friendly fence obtained by Abrika.

Planning Department was requested to keep list of subdivision plat and to check in on the fence issue.

Scott asked for a letter from the Town to return the fence to the DOW. Scott also agreed to return the fence with the knowledge that a future board may decide a fence is needed if circumstances change.

There is no timing requiring a fence. At first subdivision plat then a plan should be submitted to the Board.

MOTION: Trustee Baker made a motion to direct town staff to memorialize the agreement with the application the plan under section 9.3 will also including information on the timing of the construction of the fence. Seconded by Mayor Kostick. Motion PASSED. ABSTAIN: Seabury.

3. Resolution 2016-09 A Resolution of the Board of Trustees of the Town of Eagle, Colorado Approving an Agreement with BCP-ARR Water, LLC Concerning Reimbursement of Costs (*Allows the Town to invoice for reimbursable costs related to this action.*)

Attorney Ed Sands this deals with the Frost Creek Development they have asked us to amend the water service agreement and we do anticipate costs associated with that process for water attorney and engineering.

- a. Agreement Concerning Reimbursement of Costs

MOTION: Trustee Motion McKibbin to approve Resolution 2016-09. Seconded by Trustee Seabury. Motion PASSED unanimously.

#### **EXECUTIVE SESSION**

MOTION: Mayor Pro Tem motioned to enter into Executive Session pursuant to C.R.S. § 24-6-402(4) (a) to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property. Seconded by Mayor Kostick. Motion PASSED unanimously.