

**TRAPPERS CROSSING AT CRESTED BUTTE ASSOCIATION
SPECIAL MEETING OF THE BOARD OF DIRECTORS
MINUTES OF MEETING
MONDAY DECEMBER 7, 2015
4:00 P.M.**

The Meeting of the Board of Directors of Trappers Crossing at Crested Butte Association met on December 7, 2015 at the Toad Property Management office, 318 Elk Avenue, Suite 24, Crested Butte.

Those present: Lynn McDermand
 David Leinsdorf, Association's Attorney
 Rob Harper, Toad Property Management
 Angela Reeves, Toad Property Management

By Phone: Debbie Montford
 Jim Hopkins
 Jeff Hermanson
 Tom Atkinson
 Ken Evans
 Scott Ritchie
 Marcus Lock, Association Legal Counsel

Rob Harper called the meeting to order at 4:03 pm.

Rob said that the notice for the meeting was sent on November 25, 2015. Lynn made a motion to approve the minutes from the meeting of November 18, 2015. Jeff Hermanson seconded this motion and it passed unanimously.

Rob said that the main item for the agenda today is the restricted public access to Trappers Way. Tom Atkinson said that he was planning to abstain from the vote because he lives on Wildcat however the recent letter from Ken Evans has made him reconsider his duty to take a position on this issue. Tom said that once you open the gate it will actually be unrestricted.

Jim Hopkins made a motion to open Trappers Way to restricted access per the previous discussions and per the vote of the members of Trappers crossing Crested Butte. Jeff Hermanson seconded this motion.

Debbie Montfort asked for clarification on the process where Toad sent a letter asking for yes or no votes on this issue. The final tally is attached and made part of these minutes. Ken Evans said that he did not receive the proposal via regular mail and only after he heard about the vote did he acquire the letter. He thinks that there may be others that did not receive the information. Jim clarified that Toad sent out a first informational letter and then another letter asking for an unofficial vote and then the Board asked Rob to attempt to contact any remaining owners that did not vote. Jim said that the effort made on this issue has gone further than any other issue that he has seen before. Rob said that he has called, emailed and regular mailed all of the owners multiple times. He said that

there were a handful of phone numbers that were no longer in service but no emails bounced and no mail was returned to the Toad office. He said that he has exhausted all of the contact information that he has. Debbie said that Toad has met its duty of trying to contact all owners.

Debbie pointed out that the Board would look at how the owners on Trappers Way answered to guide the decision. Jeff said that there are 3 yes votes that do not access their property from Trappers way and that they use the Peanut Lake road to access. He said that this does not discount their vote because they pay dues for maintenance of the Trappers Way Rd.

David Leinsdorf spoke about the process of this decision. He said that the decision only lies within the Board of Directors under the Declaration, Bylaws and Colorado Statute. He said that soliciting opinions from the owners is entirely appropriate however not mandatory. He said the Board can digest the input but is not bound by their votes. Ken Evans asked the Board members if they are comfortable that this decision opens the road to unrestricted access. Jim Hopkins pointed out that there are no limitations to who owners can invite beyond the gate. He said that enacting this proposal is consistent what is currently happening. Tom Atkinson said that it is not productive to try to change people's minds and wants to make sure that everyone has a chance to discuss this issue. Ken Evan's said that he considers a guest to be someone visiting him at his home and this is too open ended with regard to who will be allowed in with no ability to enforce restrictions. Ken said that there are also wildlife issues that need to be protected as well. Scott Ritchie said that while he has seen issues with trespassing in the past he is still in favor of having access.

Debbie Montfort said that the Board has made every effort to collect input and would like to see the wishes of the majority carried out. Tom Atkinson would like to know if it was possible to add a keypad to access the gate. It was clarified that there is already a keypad to open the existing gate. Jim Hopkins explained that this would require 2 more keypads along with mechanisms to open and close. Lynn said that people will just climb over the gate as they do now. Jeff Hermanson said that there are people unhappy about this issue on both sides. He said that this proposal is a small cost and worth trying.

The vote resulted as follows:

Tom Atkinson – No

Debbie Montfort – Yes

Jim Hopkins – Yes

Jeff Hermanson – Yes

Lynn Mcdermand – Yes

Rob said that they will implement this proposal as soon as practical within the next two weeks. Debbie would also like to see the majority of the extra signage removed. Jeff Hermanson agreed that there were too many signs at the gate. Debbie reiterated that the signage needs to show that this is private property and that they do have responsibilities as guests.

Lynn Mcdermand asked if there could be 'no climbing' signs added to the gate at Wildcat Rd. Rob said that he would order the signs and install.

At 4:40 PM The public meeting adjourned and the Board meeting went into Executive Session to discuss ongoing litigation with regard to lot 33A.

The meeting adjourned at 5:10 PM.

Rob Harper, Association Manager