

**TRAPPERS CROSSING AT CRESTED BUTTE ASSOCIATION
ANNUAL MEETING OF OWNERS
AUGUST 6, 2022 – 4:00 P.M.
VIA ZOOM**

Present:

Lynn McDermand
John & Debbie Montford
Bob & Tina Bishop
Tom Sisson and Patricia Osbaldiston
Jim Hopkins
Dick & Mary Allen
Rick & Diane Clark
Dan & Lisa Laukitis
Theresa Schaul
Jim Utley
Justin Biggs, representing Chris Peck
Jordon Ringel
Matt & Amber Lavine
Tim Pfafman
Tom & Joni Atkinson
Greg Vanderbeek & Jenny Blacklock
John & Michelle Cowell
Charles Stellberger
Montanya Horowitz
Melinda Doster
Jim Houston
Jim Truettner
George Nelson
Stephen Standefer
Joel Benisch
Seth Novatt
Rob Harper, Toad Property Management
Jacob With, Law of the Rockies, Association's legal counsel
Lilia Falk, West Region Wildfire Council
Courtney Haynes, West Region Wildfire Council

Proxy to Lynn McDermand:

Dave Kyle
Andrew & Rebecca Cassel
Win Craven
Steve Jenkins
Jim Nowotny
Randall Raziano
Jeffrey Rohring
Ruby Ridge
Bill & Marcia Stamm
Sabrina Strickland
Vanguard Atlantic Ltd
Jeff Hermanson

Rob Harper called the meeting to order at 4:07 pm and said notice of the meeting had been mailed on July 22, 2022. Rob confirmed the meeting had a quorum, including proxies.

Tom Atkinson made a motion to approve the minutes of the November 30, 2021 meeting. Lynn McDermand seconded the motion and it was unanimously approved.

Rob Harper introduced Jacob With of Law of the Rockies, the Association's legal counsel. Jacob explained the litigation regarding Trappers Way/Scenic Butte was still pending but had been delayed. Jacob explained that Scenic Butte's right to use Trappers Way was conditioned by the Court on Scenic Butte obtaining permits from the United States Forest Service (USFS) and the Bureau of Land Management (BLM). As Scenic Butte has not yet received those permits, the Court stayed the hearing to determine compensation owed to the Association for Scenic Butte's condemnation of Trappers Way. Jacob explained any permit from the USFS would only be granted after a NEPA review with a public comment period. Jacob said it was his understanding that the Town of Crested Butte would likely oppose the granting of a permit. Jacob said there would be a status hearing with the Court in the coming week.

Jacob said separate counsel had been hired by Jim Hopkins, personally, and that had been very helpful to the Association. The Court had recently included Jim and his legal counsel into the case. Jim Hopkins asked if there were any representatives from Scenic Butte participating in the meeting and there was no response. Jacob said he had attempted to reach out to Scenic Butte to discuss settlement but had not received a response.

Jacob said plans and specification for the fire egress had been prepared by an engineer and the plans reviewed by the County. The Association had met its obligations and was now ready to proceed. No date was known when the contractor would be able to proceed. Rob Harper said he would be meeting with Lacy Construction to walk the trail and prepare a plan of operation. The start date would be shared with all those concerned. Jacob explained the work would involve brush mowing of the existing trail with some work at the connection at the lower part of the trail and the berm removal at the top. Jacob said it was an emergency egress and not a secondary route in and out of Wildcat. Jacob explained there would be additional signage installed near the Green Lake trail and the emergency access would have simple gates in place. Jacob said signage would be replaced in a timely manner if signage was removed or damaged. Cameras and law enforcement would be another stage if trespassing was a problem.

Jim Houston asked if the ongoing expenses for the fire egress would be expenses shared by all of the Association or just Wildcat. Rob and Jacob explained the expenses would continue to be an Association expense as making the Association safer in the event of a wildfire would make the emergency services quicker to respond and a benefit to all owners. Jim asked if other fire safety improvements, such as tree thinning, water storage would be dealt with the same way.

Jacob explained the upcoming discussion and vote on wildfire mitigation was made up of several different parts. Jacob said the community fuel breaks and roadside thinning were considered an Association expense and Jim Houston questioned why private lots would not be dealt with the same way as the wildfire would not differentiate between private lots, rights of way or common areas. Rob explained the 2013 tree thinning at Wildcat had been funded significantly by a grant with Wildcat owners just paying a small percentage. Lilia Falk said she thought the grant might have been as high as a 90/10 share.

Bob Bishop thanked Lilia Falk and Courtney Haynes of West Region Wildfire Council for joining the meeting. Bob explained there was the opportunity to have \$250,000 fire mitigation work performed using a 50/50 matching grant. Bob said Trappers Crossing was a beautiful place but it was identified as an area with a high fire risk and the West Region Wildfire Council had reached out to local entities and emergency response services and all supported and recommended the start of fire mitigation work. Bob explained the meeting was to determine support for a special assessment to perform the fire mitigation work. During the summer of 2023 there would be a contractor showcase and then the special assessment would be collected so the work could be performed in the spring/summer of 2024. Lynn McDermand stressed the rain during the summer would not significantly reduce fire danger and it was essential to take fire mitigation action. Debbie Montford stressed the need for the Association to be proactive in fire mitigation. Jim Atkinson said there was a history in the community of expenses and revenue from litigation/lot sales from different parts of the community being used for the entire community. Lilia Falk said there was a general idea of the work but once the foresters had boots on the ground the specific scope of work would be determined. Lilia said the West Region Wildfire Council had already secured the \$250,000. When the contractor was selected and a proposal received if inflation or escalating fuel/labor costs pushed the cost of the work higher than the \$250,000 Lilia said she would be actively searching for additional grant funds. Courtney Haynes explained the entire proposal for defensible space had multiple parts. The HOA was being asked to fund work on a community fire break and roadside thinning. Separate from that work the West Regional Wildfire Council was reaching out to some owners and neighboring land owners to add defensible acres and adding a potential fuel break between Trappers and the Town of Crested Butte. The multi-faceted approach was determined as the best approach to protect Trappers and neighboring lands from wildfire. Courtney explained Wildcat had been identified in a County Wildfire Protection Plan and some Wildcat owners had already signed up for wildfire mitigation work on their lots. Those two things made it easier to get grant approval for work to be performed and was a good starting point for future work. Fuel type on Wildcat put Wildcat at a higher risk but lots off Trappers Way or Journey's End Road had also been covered in the Wildfire Protection Plan. Courtney explained direction of wildfire was unknown so it was essential to protect the entire community from fire being able to spread.

Tom Atkinson made a motion to approve the \$125,323 special assessment (\$1,566.54 per lot) for wildfire mitigation work outlined by the West Region Wildfire Council. Debbie Montford seconded the motion and it was approved unanimously by those participating in the meeting.

Jim Hopkins stressed the need for wildfire mitigation on Trappers Way. Jacob explained work was being prioritized and there could be multiple phases to complete the work throughout the entire Trappers community.

Rob Harper thanked Bob Bishop, Lilia and Courtney. Lilia Falk and Courtney Haynes left the meeting.

Jim Utley asked if assistance could be obtained from the County for maintenance of Peanut Lake Road. Jim explained there were multiple entities who benefited from use of the road and Jacob said some research had been done and put on hold due to other legal expenses. Jacob said approaches could be made to the County and neighboring landowners and users as soon as the Board directed Law of the Rockies to resume that work. Jim agreed to reach out to Jacob by email with a request to receive any information that had already been obtained.

Matt Lavine asked if the proposed land swap by the Mine would impact Trappers land. Jacob said there had not been any recent legal work on that matter but if owners had specific concerns or additional information they should reach out to him.

Jacob With left the meeting.

Rob Harper said a financial report through June 2022 had been circulated to all owners prior to the meeting. Rob explained the Association would finish the year close to budget unless there were any unforeseen large expenses. Rob said the Owner's Budget Meeting would be in December and in the Fall a report would be distributed with the breakdown of income/expenses by TCW, TCCB and TCS.

Rob Harper reminded owners to drive slowly on the Trappers roads as speeding vehicles continued to be a problem.

Jordon Ringel asked about a trash enclosure. Jordon explained Golden Eagle would be happy to supply a 20 yard dumpster down near the Wildcat gate, emptied twice a month at the cost of \$1,000. Several owners expressed interest in having a trash enclosure due to the high cost of taking trash to the Waste Management transfer station at Riverland. Lynn McDermid said a dumpster had been discussed several times in the past and finding a location was difficult as the Association did not have common land and an owner would have to give approval for a portion of their land to be used. Rob Harper agreed to follow up and research options. Several owners said anything would be better than the current options.

Rob Harper said there had been 4 houses and 8 vacant lots sold during the past year. Rob reminded owners to submit construction plans to him for review by the Board.

Concern was expressed about gunfire and fireworks. Rob Harper reminded owners outside open fires, gunfire and fireworks were not permitted within Trappers Crossing.

The question of internet service was once again discussed. Jim Hopkins said he used Starlink and Joel Benisch suggested researching the Government Infrastructure Plan which was making internet available in some rural areas.

Rob Harper thanked the Board for their work.

At 5:46 pm Joel Benisch made a motion to adjourn the meeting. Jim Hopkins seconded the motion and it was unanimously approved.

Prepared by Rob Harper,
Toad Property Management, Manager