

**TRAPPERS CROSSING AT CRESTED BUTTE ASSOCIATION  
ANNUAL MEETING OF OWNERS  
AUGUST 7, 2021 – 4:00 P.M.  
VIA ZOOM**

Present:

- Lynn McDermand
- Debbie Montford
- Bob Bishop
- Tom Sisson and Patricia Osbaldiston
- Bruce & Katherine Winston
- Jim Hopkins
- Dick & Mary Allen
- Rick & Diane Clark
- Andrew & Rebecca Cassel
- Ken Evans
- Tim Pfafman
- Tom Atkinson
- Greg Vanderbeek
- Seth Novatt
- William Lacy
- Jim Houston
- Susan Jones
- Steve Jenkins
- Barbara Probe
- Rob Harper, Toad Property Management
- Jacob With, Law of the Rockies, Association's legal counsel

Proxy to Lynn McDermand:

- Randall Raziano
- Walter Truettner
- Charles Stellberger
- Vanguard Atlantic Ltd
- Line 5 Holdings LP
- John Cosentino
- George Nelson
- Bill & Marcia Stamm
- Jeff Hermanson
- Jeffrey Rohring
- Angela Booth

Rob Harper called the meeting to order at 4:05 pm and said notice of the meeting had been mailed on June 30, 2021.

Dick Allan made a motion to approve the minutes of the December 30, 2020 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 With explained the Wildcat wildfire egress was still underway but due to the excessive workload of engineers, SGM, had not yet completed their portion of the work. Jacob said the engineers were very familiar with the work and at this time no attempt had been made to contact

engineers outside the valley who would take time and additional cost to get up to speed. Once SGM Engineering completed their work the project would move forward and Jacob said he would request SGM completed the work by the Fall.

Jacob With reported there would be a status conference at the end of August on the Trappers Way/Scenic Butte matter. Jacob explained a jury hearing had been requested and the date was unknown at this time but the hearing was expected to last two days. At the hearing the jury would determine the amount of money the access was worth and how much owners would be compensated. An appeal could be made after the jury hearing by either side.

Jacob said he had no update from the BLM regarding approval of a road across neighboring land but the Association had received plans for a driveway/access road across the lot owned by Scenic Butte. Jacob explained the Board would schedule a meeting to review those plans.

Jacob explained he had not received an update from the Town of Crested Butte on their Scenic Butte position and Jacob said he did anticipate the NEPA process would occur although he had not received confirmation. Jacob encouraged owners to reach out to the Town and Jacob said he would provide a draft template for interested owners to use. Jim Hopkins, as the immediate neighbor, said he opposed any plans for a driveway/access road as the plans did not include house construction information. Jim said he had to provide detailed construction plans at the time of submission for driveway approval. Jacob confirmed owners would have the opportunity to make comments during the review process for the driveway/access road. Jacob explained the State of Colorado gave a constitutional right for an individual to bring a condemnation claim. Scenic Butte had been successful in the right to possession claim and the case had now moved onto the determination of damages for each owner on Trappers Way who would be impacted by construction and access to the new Scenic Butte subdivision. If the BLM or Forest Service denied access across the land between Trappers and Scenic Butte the matter would go away as access through Trappers Way would have no benefit.

Rob Harper said Kendall Burgemeister had dealt with the Wildcat Creek matter with an environmental group and HCCA. Lynn McDermand said resolution had been reached and existing water rights had been retained and the ability to build a supplemental holding pond if necessary in the future. Debbie Montford explained water rights had been protected and legal advice had recommended not taking the matter further as it would not be possible for anybody else to claim a primary water right in the future. Jacob agreed to have Law of the Rockies provide a summary of the Wildcat Creek resolution to all owners. William Lacy had questions about the augmentation plan on the pond on Journeys End Road and if there was the ability to release water if there was a call from downstream. Jacob said that would be covered in the summary from Kendall.

Jacob With left the meeting.

Rob Harper said tree thinning cleanup from work performed last Summer had almost been completed but labor shortages throughout the valley had delayed the work. No additional tree thinning would be conducted until the cleanup along the roads at Wildcat had been completed. Rob explained the Board had been working with the West Region Wildfire Council about possible significant grants for extensive wildfire mitigation work. Bob Bishop explained the West Regional Wildfire Council had approached the Board with the opportunity to obtain matching grants for three different projects. The three projects were additional road thinning, building defensible space between Wildcat and BLM/Forest Service land and work on individual

lots to create defensible space and tree thinning. Bob said the matching grant was being offered as Wildcat was considered an extreme fire risk within the State of Colorado but there was no clarification that the “extreme” risk would be reclassified if the work was performed. Rob Harper said it would be a long term plan as survey work would first occur, then a plan written and then the West Region Wildfire Council would obtain bids from contractors. Bob Bishop explained it would be a 50/50 grant but the Association would have to first pay 100% of the cost of the work and the Association would then be reimbursed by the State of Colorado. Wildcat was being offered a large percentage of the funds being set aside by the State of Colorado for wildfire mitigation. Bob said it was unclear, as conflicting information had been given, on whether the Association could take a small amount of the money offered or if the entire project needed to be completed. Debbie said the Board had a lot of questions and concerns as it could be three years between the time of collecting funds from owners and the work being completed and it was also unclear if the funds from the owners could be considered a charitable contribution.

Rob Harper said the Board would continue to gather information and answers and then notify owners when more information was available.

Rob said Wildcat and Trappers Way entry sign logs had fallen down within a month of each other. Rob explained the signs were fine and Rob said he was working with two companies for a plan to replace the log structures. Rob said the work at the Wildcat Bridge had been completed.

Rob explained five houses and six vacant lots had sold since the meeting in August 2020. Rob said some new home construction was underway as well as some small remodel projects. The pump at the pond on Journey’s End Road was working well and the water pipe to continually feed the pond had been repaired several times during the Summer. Jim Hopkins suggested not replacing the log structures at the entrance to Wildcat and Trappers Way and perhaps installing the signs on the gates.

Rob said the financial year was now January to December and the financials circulated with the meeting documents just covered the first half of the year. The Association currently had approximately \$219,000 in the bank account and road maintenance had been completed. Tom Atkinson made a motion to ratify the 2021 Budget. Lynn McDermant seconded the motion and it was unanimously approved. Rob explained the 2022 Budget Meeting would be held in November 2021.

Rob Harper explained Jeff Hermanson and Debbie Montford were willing to continue on the Board for three year terms and no additional names were put forward. Dick Allen made a motion for Jeff Hermanson and Debbie Montford to continue on the Board for additional three year terms. Jim Hopkins seconded the motion and it was unanimously approved. Rob thanked the Board members for their work.

Jim Hopkins expressed concern about a lack of communication from the Board regarding the Scenic Butte matter.

Some owners were using Starlink for internet service and said it was working well with good speeds and reasonable pricing. Line of sight was not necessary with the Starlink service so it would be available to all areas. Jim Hopkins said he had not tested the Starlink service during the winter.

At 5:16 p.m. Tom Atkinson made a motion to adjourn the meeting. Lynn McDermid seconded the motion and it was unanimously approved.

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Prepared by Rob Harper,  
Toad Property Management, Manager

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