

**TRAPPERS CROSSING AT CRESTED BUTTE ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
MINUTES OF MEETING
NOVEMBER 16, 2022
10:00 A.M.**

By Zoom: Debbie Montford
 Lynn McDermid
 Tom Atkinson
 Bob Bishop
 Jacob With, Law of the Rockies, Association's legal counsel
 Rob Harper, Toad Property Management
 Alex Summerfelt, Toad Property Management

Rob called the meeting to order at 10:04 a.m. and confirmed there was a quorum.

Lynn made a motion to approve the May 26, 2022 meeting minutes. Debbie seconded the motion, and it was unanimously approved.

Rob explained CB Nordic wanted to once again have the junior Nordic race on Journey's End Road on November 17th and 18th. There was no opposition to the annual event once again using the easement on Journey's End Road.

Rob explained a letter from the Town of Crested Butte had been received regarding wood burning stoves. Jacob said the Developer for Trappers had entered into an agreement with the Town regarding wood burning stoves. Jacob explained the Town had a different understanding of the agreement and felt the Town was over stating the intended restriction. Jacob said his understanding of the agreement meant Trappers owners needed to comply with the current Town regulations and did not require a permit for a wood burning stove from the Town. It was generally agreed the Association had been enforcing the section of the Covenants relating to fire places and wood burning stoves for new construction within Trappers Crossing. Jacob recommended the Town contact owners directly rather than the Board become involved in Town regulations or policies.

Jacob explained a US Forest Service Land Exchange was proposed regarding the land where the mine was located. Jacob said he had been in communication with the County Attorney to confirm the access rights of some Trappers owners would not be negatively impacted by the land exchange and there would be an agreement protecting access and roads in the area. Jacob said a permanent easement would protect the Trappers Crossing Association regardless of who owned the land in the future. Jacob explained that if the land at the mine was privately owned the land could theoretically be developed, subject to approval from Gunnison County. Jacob said the County had confirmed the agreements/easements for Trappers Crossing would be in place prior to the land exchange being completed. Jacob explained the County would become responsible for the future maintenance of the parking lot and the Wildcat Bridge as part of any agreement.

After a long discussion Jacob agreed to follow up with the County and keep the Board updated as necessary. Jacob said the County Attorney expected progress on a potential land swap to be slow.

Rob explained the Association had paid Al's Backhoe approximately \$5,000 in 2021 and approximately \$7,000 in 2022 for snow plowing on Peanut Lake Road. Jacob said other owners, outside of the Association, benefited from the snowplowing but to enter into an agreement with all those owners might incur legal costs higher than the Association was currently paying for snow removal. It was agreed to discuss at a later date.

Rob explained the Crested Butte Land Trust had not paid dues on their lot and arrears were now approximately \$29,000. No documentation had been found to formalize any agreement made in the past between the Association and the Land Trust to waive dues and Jacob confirmed the Covenants did not permit the Board to waive the dues. Owner approval would need to be obtained to make such a change. Jacob agreed to draft a letter to the Crested Butte Land Trust requesting payment of the outstanding dues and any late fees and penalties would be removed.

Rob said he had explored possibilities for dumpsters. A location at the entrance to Wildcat was not acceptable to the landowner and a location at the Trappers Way entrance was not acceptable to that landowner. Legal counsel in the past had indicated approval from the two owners of the lots was essential to move forward. Locations further into Wildcat or Trappers Way might be acceptable to Golden Eagle but the lot owner would need to give approval even if the dumpster was located in the road easement. Rob agreed to email all owners with an update.

Bob explained there had been a meeting in Wildcat with representatives from the Wildfire Council, the fire department, the Forest Service and the BLM. The meeting had focused on locations for potential fire breaks.

Rob said the emergency fire access work at Baby Head Hill was almost completed. The trail had been prepared for emergency access/egress and most of the signage was in place. Jacob suggested owners receive an update at the next annual meeting to explain the need to only use the trail for emergency exit and also to stress the need to exercise caution as it was a trail, not a road. Rob confirmed Toad would maintain the trail as well as continuing to maintain the water pipeline. Jacob agreed to draft a document explaining the general emergency use of the trail which could be shared with all owners. Rob agreed to total the SGM, Lacy Construction and signage expenses as those costs had been absorbed into the operating expenses and it might be necessary for a special assessment to cover those costs.

Jacob said Scenic Butte could not proceed until the Forest Service granted them approval and there was no update at this time as the process with the Forest Service was lengthy. Jacob explained Scenic Butte had not responded to any of his requests to settle the matter.

Bob, Lynn and Tom said they would be willing to continue on the Board for an additional term.

Rob said Lacy Construction estimated \$50,000 to \$75,000 to pave an area just before the Wildcat Bridge and then from the Bridge to the gate. Rob explained the work would reduce the potholes and maintenance but the land was owned by the Forest Service.

Prior to the meeting Rob circulated a 2023 Budget. Rob explained the 2023 Budget was based on actual expenses over the past 3 years as well as inflation. Rob said the Budget did not include cleaning out ditches to help with drainage and Red Mountain Ranch had increased dues by approximately 38% to cover similar costs. Rob explained there was approximately \$25,000 in the bank account. Rob said \$45,000 for legal had been added based on a rough estimate from Law of the Rockies. Rob explained the 2023 Budget proposed a dues increase of approximately 16% for Wildcat, 8% for TCCB and 7% for TCS. Concern was expressed about another significant dues increase when there would be a special assessment for the wildfire mitigation work and there had been a dues increase the year before. Rob and Jacob explained the Board needed to approve a 2023 Budget and the Budget was presented to the owners to ratify. If the owners vetoed the Budget as presented the Association would operate on the prior year Budget until a new Budget was ratified.

Rob explained ongoing legal expenses and increasing costs for snow removal, gate repair, and road maintenance meant the Association was over budget during 2022. Debbie asked if a special assessment for some of the expenses would be better than increasing dues as there was concern that dues go up but rarely come down. Jacob said a special assessment up to \$50,000 could be approved by the Board and Jacob cautioned against regular dues and special assessments being invoiced to owners at the same time.

It was generally agreed cutting costs would be difficult and Tom suggested spending less on Magnesium Chloride by using less of the chemical. Rob explained more road surfaces were now included in the road maintenance and Magnesium Chloride and costs would be higher if prices had not increased due to inflation and fuel costs.

After a long discussion Rob agreed to reduce some expense line items to keep the Wildcat dues at \$5,000 per year, instead of the proposed figure of \$5,400 for Wildcat. Jacob confirmed the Board could review and adopt the amended Budget via email. An income stream, such as a transfer fee upon the sale/purchase of a lot, was suggested for the future in an attempt to keep pace with increasing costs.

A capital assessment of less than \$50,000 would be assessed to all owners, \$625 per lot. The funds would cover Lacy Construction fire egress costs in Wildcat, approximately \$29,000, and \$20,000 appraisal expenses incurred as part of the Scenic Butte litigation.

Rob agreed to make amendments and draft a letter explaining the operating and capital assessment. The Board would review by email and promptly reply to Rob with approval of the Budget.

At 12:15 p.m. the meeting adjourned.

Rob Harper,
Toad Property Management, Association Manager