

**MINUTES OF THE
McCORMICK RANCH ASSOCIATION BOARD MEETING
318 ELK AVENUE, SUITE 24
TUESDAY, MARCH 19, 2019**

Present: John Mason
Courtney Burton, Wheelies and Waves
Rob Harper, Toad Property Management
Bill Lacy

By Phone: Scott Nelson
Jeff Serra

The meeting was called to order at 4:30 p.m. and Rob confirmed there was a quorum and introduced Courtney Burton of Wheelies and Waves, a local paddleboard company.

John made a motion to approve the minutes of the December 19, 2018 meeting. Jeff seconded the motion and it was unanimously approved.

Rob explained the purpose of the meeting was to discuss paddle boarding on the Slate River and the Slate River Working Group. Courtney explained the Slate River Working Group had been set up following an approach by the Crested Butte Land Trust due to the increase in paddle boarding on the Slate River. Courtney said the aim of the Working Group was to establish ways to protect wildlife and property owner rights and to educate users regarding respectful and safe use of the Slate River. Courtney explained signage had been added to the Upper Slate River as a result of the formation of the Working Group.

Bill said he had attended a couple of the Slate River Working Group meetings which included an eclectic group of people providing useful information regarding preservation of the blue heron habitat, wildlife, water flow, acceptable use of the Slate River and property owner rights.

Jeff explained both of his lots (6 and 7) were on the river and impacted by the recent recreational use of the river but he had not been included in any discussion by the Slate River Working Group. Courtney explained prior meetings of the Working Group had focused on the Upper Slate River and today's meeting was the first to discuss the Lower Slate River.

Bill explained Section 3.15(l) of the McCormick Ranch Covenants prohibited any commercial use of the river easements and that section had been included in the Covenants to prohibit activities which might impact landowner's enjoyment of their property. Jeff said legal advice he had received stated the general public could also be prohibited from floating the Slate River and property owner rights would probably prevail in any court action due to a 1979 Court ruling and individuals using the river was his biggest concern as they might not have the education or respect that a commercial group might have and infractions by individuals would be more difficult to control.

Courtney said she wanted to attend the meeting to open communication with McCormick Ranch owners. Courtney left the meeting and Jeff said he would contact her when he had more information together.

Bill said keeping the fencing in place across the river to retain the cattle had been a problem for the past two years since paddle boarding started and enforcing any restriction on floating the river for both commercial operations and individuals would be difficult. Bill explained a general legal interpretation he had received said individuals or commercial operations could be given permission to float a river but if no permission was granted floating the river was a civil offense and became a criminal offense if the individual touched the bottom of the river bed or river bank. Jeff agreed enforcement would be difficult and enforcement was not something he wanted to be involved with as that would have a negative impact on his enjoyment of the property.

After discussion it was agreed Bill had authority from the Board to go to the Slate River Working Group and communicate the Board's position that permission would not be granted to commercial users to float the river through McCormick Ranch due to the Covenants, cattle grazing and preserving property rights and property value.

At 5:27 pm the meeting adjourned.

Prepared by Rob Harper,
Toad Property Management