

SUMMIT RESIDENTIAL OWNERS' ASSOCIATION
Annual Meeting of the Owners
January 23, 2024 – 4:00 PM
Via Zoom

Present:

Bruce Fauser	Lot 1
Jack & Jessica Glover	Lots 2 & 3
Mark Miller	Lot 4
Tim & Marian Hilpert	Lot 5
Thomas Moorestead	Lot 6
Peter & Pam Esselstyn	Lot 7
Gary Scott	Lot 8
Casey Schorr	Lot 12
Craig Batchelor	Lot 13
Jason & Laura Shelton proxy for	Lots 14, 15 & 16
Ross & Carma Tidemann	Lot 17
Gail Knapp	Lot 19 & 23
Marshall Funk	Lots 20 & 22
Sandy Funk	Lots 24, 25 & 26
Ian Fisher	Lot 27
Paul Peebles	Lot 28
Tracey Haas	Lot 31
Tim Gueramy	Lot 32
David Kopitz	Lot 33
Leisle Chung	Lot 37
Keith Morley	Lot 39
Charlie Berger	Lot 40
Rob Harper, Toad Property Management	
Erin Dicke, Toad Property Management	
Alex Summerfelt, Toad Property Management	
Jon Schumacher, legal counsel for the Association	
Marcus Lock, legal counsel for the Association	

Proxy:

Proxy to Laura Shelton	Gabriel Barbier-Mueller Lots 14, 15 & 16
Proxy to Marian Hilpert	Rebecca Rais, Lot 11
Proxy to Peter Esselstyn	Lisa Wolfe, Lot 9
Proxy to Peter Esselstyn	East 30, Lot 18
Proxy to Peter Esselstyn	David Backstahler, Lot 21
Proxy to Peter Esselstyn	East 31, Lot 35
Proxy to Peter Esselstyn	Bender, Lot 38
Proxy to Peter Esselstyn	Alan Ashlock, Lot 42

Rob called the meeting to order at 4:06 pm. Rob said notice of the meeting had been sent on January 12th. Rob confirmed there was a quorum.

Carma Tidemann made a motion to approve the minutes of the January 20, 2023 meeting. Jack Glover seconded the motion and the motion was approved by a majority of owners. Alex Summerfelt and Rob Harper confirmed efforts were being made to find low risk investment opportunities for the Reserve Funds.

Rob Harper introduced the Board members. Peter Esselstyn thanked owners for participating in the meeting. Peter thanked Paul & Julie Peebles for hosting the July 4th social event. New lighting had been installed at the entry rock and irrigation had been restored at the entryway so new planting could occur in the Spring/Summer. Peter said work continued on the skier easements. A neighborhood newsletter had been circulated and the newsletter had been well received. Peter & Pam had hosted a holiday party. Two houses were under construction and two houses were undergoing a renovation. Two lots were for sale.

Peter reminded owners to turn Christmas lights off by February 1st in accordance with Town regulations. Peter explained the July 4th party would be held on July 3, 2024 to coincide with the Town firework display.

Peter said the Association's governing documents, Bylaws, Covenants and governance policies would be updated and there would be meetings to review and discuss the changes. The changes to the Covenants would require approval of 67% of the owners (at least 28 of the 44 owners).

Adjoining property, the Crested Butte Ridge, formerly known as the Nevada Parcel, had recently installed 4 wells to monitor water levels on the land as part of requirements from the Town of Mt. Crested Butte. Peter said he would continue to attend the Town meetings and update owners as more information about potential development on the adjacent land became available. The Town was aware of existing skier easements through Crested Butte Ridge and the Town had stressed the need for the current landowner to preserve those easements.

Peter explained the West Region Wildfire Council had been unable to make an inspection of The Summit for the past couple of years. Taylor Reeves of the Crested Butte Fire District would be taking on the role of inspecting lots and assessing fire danger and an inspection of The Summit would be on the list for 2024.

Paul Peebles thanked Peter Esselstyn for his work during the past year.

Rob Harper said a financial report and 2024 Budget had been circulated prior to the meeting. Rob explained dues would remain at the same level for 2024. Rob said higher legal expenses would continue during 2024 for the updating of the governing documents and the Budget reflected an estimate of those costs. Rob explained management fees had been increased by 8% for 2024. Peter Esselstyn made a motion to ratify the 2024 Budget as presented. Tracey Haas seconded the motion and it was unanimously approved.

Rob Harper explained the election for board members would be for 2 three year terms and 1 one year term. Craig Batchelor questioned why the election contradicted the Bylaws. Marcus Lock of Law of the Rockies explained an election had not been conducted in 2022, according to minutes or the recording, and in an effort to maintain the staggering of the terms Peter Esselstyn would be up for election to a one year term and the two terms finishing in 2024 would be for three year terms. Peter explained nobody had volunteered for the Board in 2022 and Peter had agreed to continue. Peter said he was

opposed to the legal recommendation but three Board members had voted in favor of conducting an election for a one year term despite it being in violation of the Bylaws.

After discussion Marcus Lock said five owners had volunteered for the Board and suggested holding an election for the two three year terms and then holding an election for the one year term. Rob Harper said the five candidates had submitted Bios and those had been circulated to owners for review as the meeting started. Tracey Haas explained the Board did not share owner contact information for election campaigns, in accordance with State regulations, and that was why the bios had been sent from the Toad office. Rob Harper confirmed contact information could not be shared but owners could opt into a program to share contact information with other owners. Rob said information could be provided to the Toad office and then that information would be sent out to all owners.

The six candidates for the 2 three year terms introduced themselves - Tim Gueramy, Marshall Funk, Charlie Berger, Keith Morley, Peter Esselstyn and Paul Peebles. Rob Harper asked owners to email him with the selection of their two choices for board members. While votes were being tallied Marcus Lock would explain some changes to governing documents.

Marcus Lock introduced himself and explained State law and the Association's governing documents required by the State. Marcus explained the Association's governing documents would be reviewed and updated or changed where necessary. Attempts would be made to reduce the Association's legal expenses by only making the essential changes and not trying to reinvent the entire document. Peter Esselstyn said the Board had delayed work on governing policies as the State had been reviewing additional changes to the regulations. The Covenants were from the 1990s and that would be the bigger project to update and would require 67% approval of all owners.

Peter Esselstyn explained the history behind the skier easements and the need to survey the easements. Jon Schumacher, legal counsel, had been hired to help locate the easements prior to All County Survey preparing a map. Peter shared the map and said Tract A was a 40 foot wide piece of land owned by the Association and smaller skier easements came off that Tract A. On Lot 16 a skier easement had been agreed in the past and the Association had paid for a road to be put in on Lot 16 but the paperwork for that easement still needed to be finalized with the lot owner. The CBMR snow grooming machines would continue to maintain the skier easements and CBMR had asked that snowpoles be placed along Tract A. Peter explained the maps prepared by All County Survey would be on the Toad website. Peter encouraged owners to share the maps with guests or renters so they were familiar with the easement locations. Over the years transformers, landscaping or driveways had been placed on the easements and those would be researched further during 2024. Peter encouraged owners to reach out with questions.

After tallying the votes Rob Harper confirmed Tim Gueramy and Charlie Berger had been elected to the Board for three year terms. Rob asked owners to submit a vote for one person for a 1 year term - Marshall Funk, Keith Morley, Peter Esselstyn or Paul Peebles.

Peter Esselstyn explained Mountain Express had a bus serving Hunter Hill Road and sometime in 2024 Mountain Express intended to expand the "Skier App" service which was currently available from the Elevation Hotel to the north. That program was being operated as Phase 1 and due to the success of the Skier App it was planned to introduce new phases.

Rob Harper said he had tallied the votes for the one year term on the Board and confirmed Marshall Funk had received the most votes and would be joining the Board.

Rob confirmed the Board terms would be expiring as follows:

Marian Hilpert	2026
Sandy Funk	2026
Tim Gueramy	2027
Charlie Berger	2027
Marshall Funk	2025

Rob explained there would be a Board meeting immediately after the annual meeting.

Thomas Moorstead introduced himself and said he had been struggling for a year to obtain approval from the Board to make changes to his house. Thomas encouraged owners to reach out to him if they wanted to know more information about his experience.

Sandy Funk thanked Peter Esselstyn, Paul Peebles and Tracey Haas for their service on the Board.

The next meeting was scheduled for January 28, 2025 at 4:00 p.m. (MT).

At 5:52 p.m. Sandy Funk made a motion to adjourn the meeting. Paul Peebles seconded the motion and it was unanimously approved.

Prepared by Rob Harper, Toad Property Management