

**SUMMIT RESIDENTIAL OWNERS' ASSOCIATION**  
**Meeting of the Board of Directors**  
**October 30, 2023 – 5:00 PM**  
**Via Zoom**

**Present:** Peter Esselstyn  
Marian Hilpert  
Paul Peebles  
Sandy Funk  
Tracey Haas  
Alex Summerfelt, Toad Property Management

Alex called the meeting to order at 5:06 p.m. and confirmed a quorum. Alex explained notice of the meeting had been sent out on October 16, 2023.

Marian explained there had been a meeting with Marcus Lock, Law of the Rockies, and also a meeting earlier in the day with Michael Hoffman. Marian said Marcus had extensive HOA knowledge and Marcus had been working with associations, individuals and Mt. Crested Butte Water & Sanitation District in Gunnison Valley for many years. Marcus had said he would alert the Board if a conflict of interest came up as a result of prior or current working relationships. Concern was expressed that Marcus Lock and Law of the Rockies might have too many conflicts of interest although his reputation was for providing strong representation.

Marian said Michael Hoffman was from west of Montrose and might have less conflicts although less knowledge of activity in the valley. Marian explained Michael represented associations but did not represent anybody in the Gunnison Valley and he would want to come into Town to meet with the Board and the Town of Mt. Crested Butte on a regular basis. Concern was expressed that Michael might not be strong enough in his approach in cases of conflict.

It was generally agreed responsiveness from legal counsel was important. Alex said Altitude Law might be another option and Altitude could meet with the Board to explain their services.

After discussion Marian made a motion to engage Marcus Lock of Law of the Rockies to review and update the Association's governing documents. Tracey seconded the motion and it was unanimously approved.

Peter said All County Survey had completed the field work on the easements and maps had been drafted including utility and skier easements. Peter explained some landscaping, utility boxes/transformers or driveways had been added in the skier easements over the years. Peter said an "interim skier easement" had also been shown on the map. Jon Schumacher, legal counsel, was attempting to follow up with landowners regarding the skier easement. Peter explained the surveyor had identified an easement between Lots 1 and 24 and that easement had not been marked as it was steep and overgrown and would not be part of the grooming. Another easement along Summit Road had not been marked on the ground as that would not be groomed. It was generally agreed it was important to establish and retain those easements despite the easements not currently being used. Peter said he would continue to work with the surveyor.

Peter said work was underway on the foundations for the screened in porch at 4 Black Diamond. Alex said he had contacted the Town of Mt. Crested Butte as the secondary approval had not been granted by the Association. All work was contained within the lot. It was agreed to discuss at a future meeting and go into Executive Session with legal counsel if necessary. Tracey made a motion to engage Law of the Rockies to advise on 4 Black Diamond if there was not a conflict of interest. Peter seconded the motion and it was unanimously approved.

Sandy asked for better time allotment in the future for discussion of items on the Agenda. Attempts would be made to keep future meetings to one hour (5 pm to 6 pm).

At 6:30 pm Tracey made a motion to adjourn the meeting. Sandy seconded the motion and it was unanimously approved.

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Prepared by Rob Harper, Toad Property Management