

**THE SUMMIT RESIDENTIAL OWNERS ASSOCIATION  
ANNUAL OWNERS MEETING  
January, 22, 2018  
3:00 pm MST**

Management Company  
Present: Reed Meredith, Evergreen Management Inc.

Owners Present: Pat McNamar  
Craig Batchelor  
Randy Utz  
Bruce St John

Present By Telephone: Eduardo Martinez  
Peter Esselstyn  
Tim Gueramy  
Bruce Fauser  
Sandy Funk

Others Present: Craig McManus

Member Present	Lot(s)	Percentage
Patrick McNamar	33	2.38
Craig Batchelor	13	2.38
Bruce & Kinga Fauser (proxy Batchelor)	1	2.38
Liam LTD (proxy Board)	38	2.38
Eduardo Martinez (proxy McNamar)	37	2.38
Gamble (proxy McNamar)	3	2.38
Tidemann ( proxy McNamar)	17	2.38
F&F Holdings ( proxy McManus)	25	2.38
Summit LLC ( proxy McManus)	22	2.38
Summit LLC ( proxy McManus)	26	2.38
Summit LLC ( Proxy McManus)	20	2.38
Summit LLC ( proxy McManus)	12	2.38
Summit LLC ( proxy McManus)	24	2.38
Grayson Connor ( proxy McNamar)	21	2.38
Tim Gueramy ( proxy McNamar)	31,32	4.76
Miller RH ( proxy Board)	30	2.38
Lisa Wolfe ( proxy McNamar)	9	2.38
Hoenecke Living Trust ( proxy McNamar)	8	2.38
Lance Windell ( proxy board)	10	2.38
Ian Fisher ( proxy McNamar)	27	2.38
Mark White ( proxy McNamar)	34	2.38
<b>TOTAL REPRESENTATION</b>		<b>52.36%</b>

Roll Call: A quorum was established with 22 out of 42 lots, 52.36% of the votes entitled to be cast represented either in person or by proxy at the meeting. Summit Bylaws require 20% of votes entitled to be cast be present for a quorum to exist. Proof of notice was submitted as being sent to all owners on December 18, 2017, 34 days prior to today's meeting.

The following motion was made and seconded:

**MOTION:** To waive the reading of minutes of the previous owners meeting held January 23, 2017 and approve as written

Vote: Unanimous Approval

Vote: Unanimous Approval.

Reed Meredith of Evergreen Management Inc. informed the owners that the entry sign lights had to be replaced as they were broken off by skiers who skied over the entry sign monument last year. In addition, Evergreen has investigated the replacement / moving of the water irrigation valve that was damaged by snowplows last year. The project is tentatively scheduled for the spring of 2018.

Meredith then presented the 2017 year-end financial statements, The Dec 31<sup>st</sup> Balance Sheet shows total assets of \$135,330.28 and Total Liabilities of \$14,170.71. Meredith reported that 40 of 42 lots are current in payment of 2017 dues. The 2 accounts in arrears are lots 5 and 36. The Ending Fund Balance at Dec 31<sup>st</sup> was \$121,159.57. The Profit & Loss compared to budget at 12/31/17 shows that the association completed the year favorable to budget by \$2,169.67. Almost all individual expense line items were under budget with the exception of Legal Fees, which were significantly over budget by \$4,801.50.

Election of Directors: 2, 3-year board positions expire at this meeting.

After discussion, the homeowners nominated Pat McNamar and Eduardo Martinez to 3-year terms on the Summit Association Board of Directors. Nominations were closed and the following motion was made and seconded:

MOTION: to elect Pat McNamar and Eduardo Martinez to 3-year terms on the Summit Board of Director's.  
Vote: Unanimous Approval.

Discussion took place regarding the issues surrounding the skier access easement path on lot 16. Pat McNamar informed the homeowners that the board had acted in efforts to maintain and improve the skier access via lot 16. He summarized that the owner of lots 14-15-16 had previously vacated the lot 14-15 lot line and came before the Architectural Control Committee with plans to build a home across these lots. The home design required variances for roof pitch and window glazing as the design did not comply with the Summit Design Guidelines. The Board, with the approval of the owners, entered into negotiations with the lot owner to grant variances for these items and to obtain a guaranteed skier access easement. An agreement was signed and recorded to this effect, but construction has yet to take place. The lot owner is to provide the materials and the association would bear the \$7,500 cost to construct a 15' groomable easement. Unfortunately, the lot owner seems to be changing his mind and path construction has not taken place due to the owner's belief that he only agreed to a 10-foot-wide easement. Communication from both the lot owner and his builder has stopped. The homeowners present asked if there was legal action that could be taken. McNamar stated that Summit Association attorney Jon Schumacher has indicated that it may be possible to pursue injunctive relief through the legal system. However, Schumacher also indicated that as the agreement is signed and recorded, the association has the right to begin construction without any further involvement from the lot owner. The board would like to pursue an amicable resolution to this issue. McNamar pointed out that the agreed upon location of the skier access is temporary in that it states that at such time as a home is built on lot 16, the parties will re-negotiate the location of the easement on lot 16.

Craig McManus stated that the lots he represents would like the Summit board to pursue a guaranteed permanent skier easement location on lot 16.

The owners present agreed that attorney Jon Schumacher should be contacted for counsel and assistance in drafting a letter to the lot owner and that the board of directors should deal directly with the property owner as talks with the builder and other representatives have not proven effective.

Discussion began regarding the possible road damage and the dirt and debris left on the road from the 2 homes under construction on lots 28 and 14-15. It was noted that the Summit roads are city streets which are controlled by the Town of Mt Crested Butte. In addition, the town building department is the enforcement agency to make certain that contractors maintain the roadways.

Craig Batchelor indicated that he had spoken to the town about road situation and been informed that the Summit roads were originally scheduled for re-paving in 2018, but that the town was likely postponing this until after the home under construction were completed.

Craig Batchelor asked if property owners and/or management companies could provide notes to their rental tenants concerning where the ski easements are located in an effort to educate guests so that they do not ski across private property. Rental manager Craig McManus indicated that he would put information in the homes that he manages.

Craig Batchelor began a discussion of excessive dog barking noise. The group present agreed that this was an enforcement issue which should be handled by complaint to the owner and then to the police department. Pat McNamar indicated that he would contact the owner in question and inform him that the association had received complaints about dog barking noise.

The following motion was made and seconded:  
MOTION: The homeowners ratify the actions of the Summit Board of Director's during the past year.  
Vote: Unanimous Approval

Date of the next annual owners meeting was set as January 14, 2019 at 3pm.

The meeting was adjourned at 4:02pm MST.

Respectfully Submitted:

Approved By;

---

Reed Meredith, Recording Secretary

---

Pat McNamar, Association President