

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRAILMARK METROPOLITAN DISTRICT HELD JANUARY 19, 2010

A regular meeting of the Board of Directors of the TrailMark Metropolitan District (referred to hereafter as "Board") was held on Tuesday, January 19, 2010 at 6:30 p.m., at the TrailMark Learning Center, 9743 South Carr Way, Littleton, Colorado. This meeting was open to the public.

ATTENDANCE

In attendance were Directors:

Timothy N. Strunk
Robert Chavez
Sherman M. Steed
Jack A. Parsons (arrived at 6:42 p.m.)
Karen A. Millspaugh

Also in attendance were:

Cathy Noon; Community Resource Services ("CRS")
Peggy Evans; Peggy Evan, LLC Mediation
Rick Handley; Community Member

CALL TO ORDER

Director Strunk called the meeting to order at 6:32 p.m.

ADMINISTRATIVE ITEMS

Agenda: Ms. Noon presented the Board with the proposed agenda. Upon a motion by Director Steed and a second by Director Milspaugh, the Board in attendance voted unanimously to approve the agenda.

Minutes: The minutes of the December 15, 2009 meeting were presented to the Board. Upon a motion by Director Chavez and a second by Director Milspaugh, the Board voted unanimously to approve the December 15, 2009 regular meeting minutes as amended.

Public Comments: There were none.

RECORD OF PROCEEDINGS

Outdoor Display Board for Meeting Notices: After discussion, Director Chavez moved, Director Steed seconded and the Board voted unanimously to approve an expenditure of no more than \$150 for a display board.

MAINTENANCE AND OPERA- TIONAL ITEMS

Mapping Areas of Responsibility: Director Steed stated he would be meeting with HOA Board member Mike McMahon, landscaping contractor Todd Story, and the Star Canyon representative on January 25 2010 to clarify maintenance responsibilities so that a new map may be created. South Suburban Park and Recreation District will also be invited to attend.

Update on Tree Protection Fencing: Once weather permits, Director Parsons will coordinate with the Boy Scout Troop and Director Steed will attend on that day to help identify which trees should have the wire fencing removed.

Update on Potential Field Manager: Ms. Noon presented information to the Board on Mr. Rick Kinkel to perform field management for the District on an hourly basis to be billed through CRS. Mr. Kinkel is to contact Director Strunk and arrange to walk the community to identify the scope of work for the field management position.

Review Proposal from Gantner Inc. – Pier and Footbridge: Said proposal for the painting was reviewed by the Board. Director Steed will confirm at the South Suburban Park and Recreation District quarterly meeting who is responsible for the pier and bridge painting. An update will be provided at the February, 2010 District Board meeting.

FINANCIAL ITEMS

Review and approve payment of claims: After review, upon a motion by Director Steed and a second by Director Parsons, the Board voted unanimously to approve the claims as submitted.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending December 15, 2009 and the Board accepted the cash position as presented.

Financial Statements - Ms. Noon reviewed the financial statements dated December 31, 2009. After review, the Board accepted the financial statements as presented.

RECORD OF PROCEEDINGS

CAPITAL IMPROVEMENTS

Project Update by Manager: Ms. Noon briefed the Board on her discussion with the Littleton City Attorney, Suzanne Staiert, about the acquisition of the school site. Ms. Staiert indicated that if the community comes to a consensus on a ballot question, City Council would agree to a Memorandum of Understanding (MOU) that Littleton would agree to use of the site by TrailMark Metropolitan District for the purpose voted upon by the community.

Director Steed presented an analysis of the location of emails sent by TrailMark residents to City Council member, Debbie Brinkman. A map of the location of these homes is attached and made a part of these minutes.

Discussion was held concerning the direction of the community center and pool project when the sixty day "hold" is over on February 16, 2010. Ideas presented were 1) to do nothing further, 2) to continue with the design of the project, 3) have a vote in May for the community direction or 4) have a vote at the completion of the design phase. This matter was continued until the February meeting.

LEGAL ITEMS

There were none.

OTHER BUSINESS

Community Communication: The Board discussed the purpose of a TrailMark Metropolitan District newsletter, the style and it's content. No action was taken on this item.

Website Updates and Maintenance: Ms. Noon reported that obsolete items on the TrailMark Metropolitan District website have been removed and a new link established for the May 4, 2010 election. Details will be added to that link on an ongoing basis. Director Chavez noted that the TrailMark Metropolitan District information on the HOA website needs to be updated. Director Millspaugh will follow up with the HOA webmaster.

Update on 2010 Election:

Review and Approve May 4, 2010 Election Resolution: Said election resolution was distributed. Following discussion, the resolution was amended to delete a "possible ballot question". Upon a motion by Director Chavez and a second by Director Steed, the Board voted unanimously to approve the resolution as amended. Said resolution is attached and made a part of these minutes.

RECORD OF PROCEEDINGS

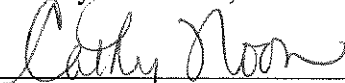
The Self-Nomination and Acceptance Form was distributed and will be posted on the District website along with the Election Resolution and additional information concerning the May 2010 election.

Update on Mediation Process: Ms. Evans attended the meeting to answer questions on facilitation and mediation processes. Following a cost proposal review and discussion of the topic between all meeting attendees, the Board decided not to move forward with facilitation or mediation at this time.


PUBLIC COMMENT There was no further comment.


ADJOURNMENT There being no further business to come before the Board, upon motion duly made by Director Parsons, seconded by Director Chavez, and passed unanimously, the meeting was adjourned at 9:54 p.m.

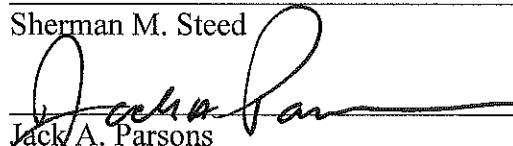
Respectfully submitted,

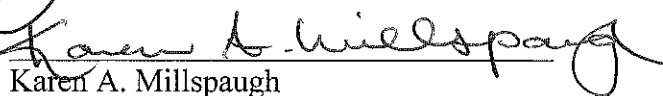

Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL
JANUARY 19, 2010 MINUTES OF THE TRAILMARK
METROPOLITAN DISTRICT BY THE BOARD OF
DIRECTORS SIGNING BELOW:


Timothy N. Strunk


Robert Chavez

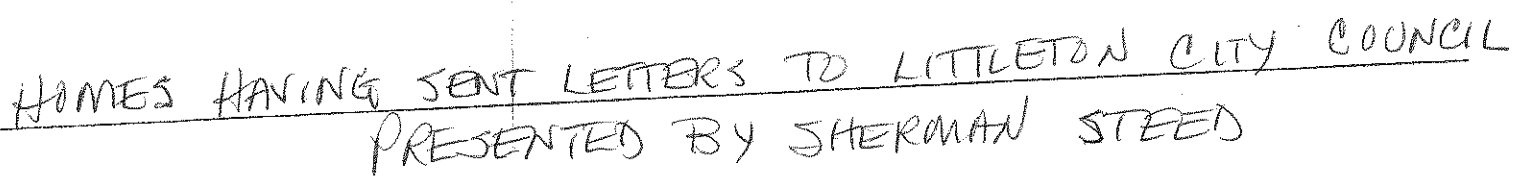
Sherman M. Steed

Jack A. Parsons


Karen A. Millspaugh

MEETING DATE: 01-19-10

PLEASE PRINT YOUR NAME, ADDRESS AND PHONE NUMBER AND THE ISSUE(S) YOU ARE INTERESTED IN ADDRESSING AT THIS MEETING.

[illegible]



Facilitation/Mediation Proposal

TrailMark Metropolitan District

Project: Develop the ballot question for the May 2010 election
re: Recreation Center and Pool

Submitted January 18, 2010

Peggy Evans

- I. Goal of Project: To jointly construct a ballot question that is satisfactory to the parties, regarding the recreation center and pool. The question needs to be ready by March 4, 2010 for the May election.
- II. The following are considerations for developing the project scope:
 - a. Determination of individual participants is critical for success.
 - b. Clarity on the intent of the May ballot question.
 - c. Possible resolution of issues prior to construction of the question.
 - d. It may be necessary to calm the concerns and tensions of the community, prior to attempting to develop the question.
- III. Facilitators include Peggy Evans, and Rita Hyland, bios below.
- IV. Estimated minimum project scope:
 - a. Minimum: To include planning and facilitation of a process to develop the ballot question.
 - b. Assumption: Careful identification of participants will suffice for calming community tensions.
 - c. Estimation: Two facilitators at \$160 per hour
 - i. 5 hours preparation
 - ii. 4 hours or 1 facilitated session
 - iii. 1 hour documentation of results
 - iv. Estimated 10 hours = \$1600.00
 - d. Preparation time will be added for additional facilitated sessions. Additional sessions may be required to calm the tension within the community, and provide a productive process for ballot question development.

Peggy Evans is a Conflict Resolution professional with extensive mediation, facilitation, team building and problem solving skills in both profit and non-profit settings. The values of Restorative Justice and Transformative Mediation greatly influence her work. Believing in the unique strengths of every person, she focuses on providing opportunities for individuals to have a voice and share their perspectives for personal resolution or working together more effectively. Her expertise is gained from significant leadership roles in creating and redesigning organizations, specifically working with cross functional and multiple agency teams. Ms. Evans has a unique ability in deciphering requirements to align different organizations towards a common goal. Peggy Evans promotes an individual commitment to effective dispute resolution, as one's conflict style affects their entire sphere of influence.

- Mediation since 1993 in workplace, domestic and civil issues.
- 16 years managing FACE-to-FACE Mediation, a program of Community Alternatives, Inc., serving the 18th Judicial District with community mediation and restorative justice programs, 7 years as a full time program director
- Facilitation includes focused conversations on difficult subjects, action planning and consensus building. 2009 facilitation trainings, TOPS, Technology of Participation, by the Institute of Cultural Affairs, learning from their decades of international community development expertise, and Collaborative Connections, Herding Cats Facilitation Workshop.

RITA L. HYLAND,
CPCU, LPCS, CPIW
Insurance Consultant, Mediator

When you need advice on the merits of complex liability and coverage issues, experience, knowledge, and insight are the foundations of sound advice. As a client of Rita L. Hyland, you will receive expert advice backed by an unwavering commitment to your objectives.

SUMMARY OF QUALIFICATIONS

- Completed The Mediation Process sponsored by CDR Associates in Boulder, Colorado.
- Mediation Internship sponsored by Perry Hubert of Affirm Resolution and Face-to-Face Mediation Services.
- Participated in numerous mediations throughout professional career and continues to provide services in mediation programs in various Colorado courts.

SERVICES

- Dispute resolution through the mediation process with particular expertise in tort litigation that includes both commercial as well as personal matters.
- Arbitration with experience in Uninsured and Underinsured Motorists Claims as well as contract disputes where arbitration is required by contract.

TrailMark Metropolitan District

ELECTION RESOLUTION

MAY 4, 2010

MAIL BALLOT ELECTION

WHEREAS, in accordance with the provisions of the Special District Act ("Act") and the Uniform Election Code of 1992 ("Code"), TrailMark Metropolitan District must conduct an election to elect **three** (3) Directors to serve for a term of **four** years; and

WHEREAS, the Board desires to authorize the Election to be conducted as a mail ballot election (pursuant to Section 1-7.5.-101, et seq., C.R.S.) of the electors of the District. A plan for mail ballot election will be submitted for approval by the Colorado Secretary of State (the Secretary of State) and the District has given notice to the County Assessor and County Clerk and Recorder for Jefferson County that such election is being held.

NOW, THEREFORE, be it resolved by the Board of Directors of the TrailMark Metropolitan District ("District") in Jefferson County, State of Colorado that:

1. The regular election of the eligible electors of District shall be held on May 4, 2010, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, **three** (3) Directors will be elected to serve a **four**-year term.

2. Two (2) walk-in voting places are established on election day, as set forth below:

TrailMark Learning Center
9743 S. Carr Street
Littleton, Colorado

Community Resource Services of Colorado
3855 Lewiston Street, Suite 140
Aurora, Colorado

3. Sue Blair shall be the Designated Election Official on behalf of District and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code, or other applicable laws. The Election shall be conducted in accordance with the Act, Code, and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, appoint the Board of Canvassers, arrange for the required notices of election and printing of ballots, and direct that all other appropriate actions be accomplished.

4. Applications for absent voter's ballots may be filed with the Designated Election Official at Community Resource Services of Colorado, 3855 Lewiston Street, Suite 140, Aurora, Colorado 80011.

5. Nomination petitions are available at the Designated Election Official's office located at the above address. All candidates must file a nomination petition with the Designated Election Official no later than 5:00 P.M. on **Friday, February 26, 2010**.

6. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on **Tuesday, March 2, 2010**, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and by Resolution declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

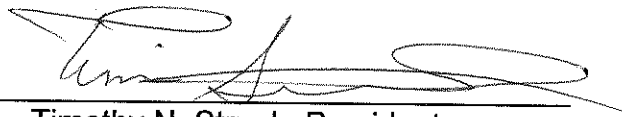
7. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

8. Repealer. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

9. Effective Date. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 19th day of January, 2010.

TrailMark Metropolitan District

By: 
Timothy N. Strunk, President

ATTEST:


Sherman Steed, Assistant Secretary