

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRAILMARK METROPOLITAN DISTRICT HELD JULY 17, 2012

A regular meeting of the Board of Directors of the TrailMark Metropolitan District (referred to hereafter as "Board") was held on Tuesday, July 17, 2012 at 6:30 p.m., at the TrailMark Learning Center, 9743 South Carr Way, Littleton, Colorado. This meeting was open to the public.

ATTENDANCE

The regular meeting of the Board of Directors of the TrailMark Metropolitan District was called and held, as shown, in accordance with Colorado law. The following directors were present:

Michael R. Rogers
Curtis Fankhouser
Richard A. Handley
Catherine LaClair

Also present were:

Cathy Noon; Community Resource Services
Lori Tolle; Board Member Elect
Members of the Community
Wayne Forman; Brownstein Hyatt Farber Schreck (via phone)

CALL TO ORDER

Director Rogers called the meeting to order at 6:32 p.m. Introductions of the Board and community members were made.

ADMINISTRATIVE ITEMS

Agenda: Ms. Noon presented the Board with the proposed agenda. Upon a motion by Director Fankhouser and a second by Director Handley, the Board voted unanimously to approve the agenda as amended to include III. Item D – 2013 Budget.

Minutes: The minutes of the May 15, 2012 Regular Board meeting were presented to the Board. Upon a motion by Director LaClair and a second by Director Fankhouser, the Board voted unanimously to approve said minutes as presented.

Administer Oath of Office to Tolle and Appointment as Officer:
Director Rogers administered the Oath of Office to Ms. Tolle

RECORD OF PROCEEDINGS

and she then executed the Certificate of Appointment to the Board. Director Tolle was then appointed to the position of Assistant Secretary.

Public Comments: Mr. Sherman Steed indicated that a fence replacement agreement for Star Canyon is not in place and asked when the total replacement occurs, should Star Canyon share in those costs. He further stated that the Star Canyon Condos have already discussed this matter. Mr. Steed and Director Rogers feel all four entities should be a part of the TrailMark Metropolitan District and TrailMark Homeowners Association fence agreement. Director Handley noted that both Star Canyon and Star Canyon Condos pay dues to the TrailMark HOA who currently has an agreement with the District to share 50% of fence costs. It was decided that further discussion is needed and a committee will be formed to begin the process. As Directors Fankhouser and Handley both live in Star Canyon, this will create a conflict of interest and they will not participate on this committee.

Anne Purnell commented that certain areas of fencing throughout TrailMark don't need to be there at all.

EXECUTIVE SESSION

At 6:35 p.m., Director Rogers moved to go into executive session for the purpose of receiving legal advice related to water rights litigation pursuant to C.R.S. § 24-6-402(4)(b). Upon second by Director Tolle, vote was taken and motion passed unanimously.

The Board did not engage in substantial discussion of any matter not enumerated in section 24-6-402(4). The Board did not adopt any proposed policy, position, resolution, rule, regulation, or formal action. The executive session meeting was adjourned at 7:03 p.m. on a motion by Director Rogers, seconded by Director Tolle and passed on affirmative vote of all members.

RECORD OF PROCEEDINGS

FINANCIAL ITEMS

Review and Approve Payment of Claims: After review, upon a motion by Director LaClair and a second by Director Fankhouser, the Board voted unanimously to approve the claims as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending July 6, 2012 and the Board accepted the cash position as presented.

Financial Statements: Ms. Noon reviewed the financial statements dated June 30, 2012. After review, the Board accepted the financial statements as presented.

2013 Budget – Ms. Noon indicated it is time to begin discussions on the 2013 budget. The Board will use the long range projection worksheet and Ms. Noon will provide 2013 expenditure projections for the Board’s initial review. The Board indicated they would like to see scenarios for 30, 33 and 35 mills.

MAINTENANCE AND OPERATIONAL ITEMS

Update on Community Clean Up at Fairview Reservoir: The Board was informed there were over twenty participants and that six bags of trash were collected from around the reservoir and by using rakes from the shoreline to reach trash in the water. Discussion ensued and it was suggested to schedule a community clean up twice/year. Director Rogers will suggest verbiage for a sign to be made for the next clean up on September 22nd from 9:00 a.m. to 11:00 a.m.

Discussion Regarding Painting of the Fence Post Repairs by Gantner: After discussion, the Board agreed to have Gantner paint the repaired fences on the outside of homeowner’s fences, but indicated the homeowner’s would be responsible for the interiors. The “Executed Second Amended and Restated Maintenance Agreement between the District and TrailMark HOA” provides the basis for the policy and the reference from that document will be provided for publication on the District and HOA websites.

Update on Mosquito Mitigation – Ms. Noon referred to the update provided by Ottertail Environmental, Inc. that had been included in the Board packet.

Update on Ponds – Ms. Noon reviewed the bids provided by Pase Contracting and Left Hand Excavating. Following discussion and upon motion by Director Fankhouser and second by Director LaClair, vote was taken and the Board voted unanimously to approve the proposal by Pase Contracting to clean out the outlet at

RECORD OF PROCEEDINGS

Pond G in an amount not to exceed \$2,000. The Board reviewed the Aquatics Associates report and commented on how wonderful the ponds look, specifically the water quality.

LEGAL

Consider Approval of Website Hosting Agreement – Following discussion, upon motion by Director LaClair to approve said Agreement and second by Director Fankhouser, vote was taken and the motion carried unanimously.

COMMITTEE UPDATES

By-Laws Committee – Director Rogers updated the Board on past actions.

Communications Committee – Following discussion, it was decided that Director Tolle will chair this committee.

TRAILMARK HOA/STAR CANYON HOA UPDATE

There was no update.

OTHER BUSINESS

Update on ISO Ratings – Director Rogers and Mr. Steed updated the Board on the work of the City of Littleton's fire protection committee. It was noted that the "Fire Brigade" cannot cover TrailMark and that they have no EMS or 1st Responder training. The City of Littleton has no long-range plans to build a fire station in TrailMark. The Board was further briefed that an Auto Aid agreement with West Metro Fire may be Littleton's plan to provide fire service to TrailMark. There is also discussion of Littleton and Englewood joining fire department forces. The committee will meet again in the fall after the Englewood/Littleton study is done.

SDA Conference Attendance – Directors Handley and Tolle indicated an interest in attending the SDA Conference being held in Keystone September 19th through the 21st. The Board also would like to do training with CRS staff on August 21st. Ms Noon will make the necessary arrangements.

2012 November General Election – The Board will not be participating in a November General Election.

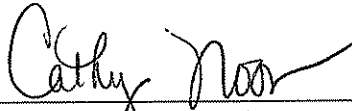
Public Comments – There were none.

RECORD OF PROCEEDINGS

ADJOURNMENT

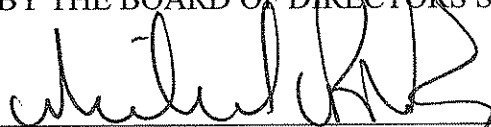
There being no further business to come before the Board, upon motion duly made by Director LaClair, seconded by Director Fankhouser, and passed unanimously, the meeting was adjourned at 9:44 p.m.

Respectfully submitted,



Secretary for the Meeting

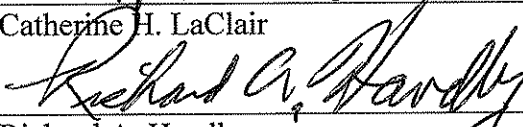
THESE MINUTES ARE APPROVED AS THE OFFICIAL JULY 17, 2012 MINUTES OF THE TRAILMARK METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Michael R. Rogers




Catherine H. LaClair



Richard A. Handley



Curtis Fankhouser



Lori Tolle

