

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
THE TRAILMARK METROPOLITAN DISTRICT
HELD
July 15, 2014**

A regular meeting of the Board of Directors of the TrailMark Metropolitan District (referred to hereafter as "Board") was held on Tuesday, July 15, 2014 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:

Lori Tolle

James Russell

– In person until 8:05 and by phone for the remainder of
the meeting.

Todd Roser

Curt Fankhouser

Catherine H. LaClair

Also present were:

Cathy Noon; Community Resource Services

Neil Shilling, Shilling and Shilling Associates

Members of the Community

CALL TO ORDER

Director Tolle called the meeting to order at 6:30 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 Tolle and a second by Director Fankhouser, the Board voted unanimously to move II. A. to first on the agenda and add VII. F. Update re: Fairview Clean-up. Upon a motion by Director Tolle and a second by Director Roser, the Board voted unanimously to approve the agenda as amended.

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Minutes: The minutes of the May 20, 2014 Board meeting were presented to the Board. Upon a motion by Director Roser and a second by Director Tolle, the Board voted unanimously to approve said minutes as presented.

Public Comments: Bill Zeeb presented the Board with written comments asking the Board “to refrain from spending any funds to further explore building a pool until the community passes a referendum that approves a pool” and “to find a community similar to TrailMark that built their own pool so he could contact them to understand their capital and operational spending”. Other community members also made comments on the subject of a pool. Varied opinions contributed to a robust discussion on the subject of building a pool in TrailMark.

FINANCIAL ITEMS

Presentation of Draft 2013 Audit by Neil Schilling – Mr. Schilling presented the draft 2013 audit to the Board noting that there were no significant changes in Audit presentation this year and that even with lowering the mill levy, there appears to be no problem the District making its debt service payment. Following discussion, upon a motion by Director Roser and a second by Director Tolle, the Board voted unanimously to approve and authorize the filing of the 2013 audit.

Review and Approve Ratification and Payment of Claims: After review, upon a motion by Director Fankhouser and a second by Director Russell, the Board voted unanimously to ratify the June 2014 claims represented by check numbers 3844 – 3853 totaling \$31,973.94 and approve the current claims represented by check numbers 3854 - 3856 totaling \$ 6,692.56 as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending June 30, 2014. After review, upon a motion by Director Russell and a second by Director Tolle the Board accepted the cash position as presented

Financial Statements: Ms. Noon reviewed the financial statements dated June 30, 2014. After review, upon a motion by Director Russell and a second by Director Tolle, the Board accepted the financial statements as presented.

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BOARD MEMBER ITEMS

Review of TMMD Committees and Partnerships Including Membership and Responsibilities: The Board reviewed committees established over the past few years to determine their relevancy and which Board members will serve on those committees.

1) By-Laws Committee – this committee met a few times to investigate establishing TMMD By-Laws. Due to lack of need for By-Laws for Special Districts (which have state laws governing them), Director Russell made a motion to disband the By-Laws Committee. Upon a second by Director Roser and unanimous vote, the motioned carried.

2) Communications –This committee was established to handle the website project with the TrailMark HOA and to produce a TMMD article for the HOA newsletter. Following discussion, Director Tolle motioned, Director Russell seconded and all unanimously agreed to continue the Communications Committee with the defined purpose to increase awareness and knowledge of TMMD business and increase community involvement. Upon a motion by Director Tolle, second by Director LaClair and unanimous vote, Director Roser was elected Chair of the Communications Committee. Ideas for the committee included but are not limited to: a. Drafting a quarterly update for the TrailMark newsletter for review & submission, b. Work on the website (content, format, and the ability to post without going through the HOA webmaster), c. Announcements/topics in the community, d. Special Projects. Director Roser will send short term goals for the committee to Ms. Noon for distribution to the Board for future discussion.

3) Pool Committee – the Board discussed establishing a “Pool Committee”. Director LaClair moved and Director Fankhouser seconded a motion to establish a pool committee to provide communication on activities by TrailMark community members/TrailMark HOA’s work on a pool. With Directors LaClair and Fankhouser voting “Aye” and Directors Tolle, Roser, and Russell voting “Nay”, the motioned failed.

4) South Suburban Parks and Recreation District (SSPRD) Historically two directors from TMMD along with members of the TrailMark HOA have met with SSPRD to discuss maintenance and projects within TrailMark. Director Fankhouser and Director Tolle will be attending the twice yearly meetings on behalf of the District. The next meeting is September 18th.

Discussion of TMMD Board Member Roles and Responsibilities: Director LaClair asked Ms. Noon to review the roles and responsibilities of Board members with the new members.

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Directors Russell and Roser stated they had attended the Board training by Ms. Noon/Community Resource Services along with Directors Tolle and Fankhouser and Director Roser and Tolle also attended SDA Board member training so they felt they had a grasp on their roles and responsibilities.

Discussion regarding TMMD Support of the HOA Investigation into the Feasibility of a Pool/Land Availability: Director Roser reported that at the July 10, 2014 TrailMark HOA meeting, the HOA Board voted to look into the feasibility of a pool in TrailMark. The District Board discussed what, if any, involvement the District should have in the HOA's action. Following a motion by Director Tolle, a second by Director Russell, and a vote of 3-2 with the Nay votes being Directors Fankhouser and LaClair, the Board approved making a statement that the TrailMark Metropolitan District supports the TrailMark HOA's investigation of the feasibility of a pool.

Fishing in Fairview Reservoir #1: Directors Fankhouser and Russell reported that residents have contacted them with concerns about those fishing in FR #1 not following the rules of "catch and release" for undersize fish and fishing line left on the shoreline. As the reservoir is open to the public, the Colorado Parks and Wildlife (CPW) department makes and enforces the rules, not the TMMD. However, the District will investigate having signs installed with the rules and the contact information for the CPW.

MAINTENANCE AND OPERATIONAL ITEMS

Pond Update from Aquatics Associates: "Pond maintenance visits were performed on 5/28, 6/20, and 7/9/14 since the last update on 5/19/14. The water was very warm on 7/9/14 (73 degrees all ponds), consequently algae can grow quite rapidly during the peak growing season (July, August).

FR #1- A boat treatment was performed on 5/28/14 to control pondweed and algae mats along the shoreline. Note that we decided to treat pondweed with contact chemicals in FR #1 for the 2014 season rather than systemic (Sonar) considering the amount of growth present and fact that the contacts were less expensive. A spot treatment for algae mats was done on 6/20/14. Otherwise, the lake looked good and did not require any work on 7/9/14.

The lake aeration equipment was inspected on 7/9/14; we spoke with Curt Fankhouser who indicated the system was off for a few weeks in June due to a tripped breaker. Curt mentioned he would mark the breaker dedicated to the aeration equipment. The aeration is now running on an intermittent run schedule for the summer which was reset by Curt and Rick. Curt put a paper log schedule inside the pump

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house to record maintenance activities done by AAI, Curt or others.

FR #2- The systemic treatment for duckweed continued as prescribed with applications on 6/20 and 7/9/14. Surfacing algae mats were also treated with algaecide on 6/20 and 7/9/14. The solar aeration equipment has been running fine.

Pond G- Algae mats and pondweed were treated by boat on 5/28/14. Algae mats also required treatment on 6/20/14, while no treatment was needed on 7/9/14. The outlet grate at Pond G was also cleared of debris during all site visits.

Pond A- The water level in this pond has been low since late May. Algae mats and duckweed covered 70 and 80% of the surface on 6/20 and 7/9/14, respectively, which was treated with contact products on both occasions.

LEGAL ITEMS

Marijuana Regulations on TMMD Property: Discussion was held as follow-up to Attorney George Rowley's question on whether the Board wanted to enact regulations regarding the use of Marijuana on District owned property. The Board felt that given the limited amount of and access to District owned property there wasn't a need at this time for regulation but would monitor the issue.

Open Records Request Policy – The Board reviewed and discussed the updated Open Records Request Policy that meets requirements set forth in new Colorado State Statutes. Upon a motion by Director Roser, second by Director Fankhouser and a unanimous vote, the TrailMark Metropolitan District Public Records Request Policy was passed effective July 15, 2014. A copy will be made available via the TrailMark website.

Update on HOA Maintenance Agreement: The agreement is complete and copies distributed to all entities.

MANAGEMENT ITEMS

Update to the Annual Administrative Resolution: To reflect the new Board members and the offices they hold, Director Tolle motioned to direct Ms. Noon to update the Annual Administrative Policy. Upon a second by Director Fankhouser and unanimous vote, the motion passed.

Direction from the Board regarding the level of detail in meeting minutes: Ms Noon asked the Board if they would like to continue the current format of meeting minutes. Following discussion, the consensus of the Board was to maintain transactional minutes and continue posting the DRAFT minutes to the District website

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following review by the Board, but prior to adoption by the Board.

OTHER BUSINESS

Review and Update regarding Citizen Group Actions Inquiring into land for a Pool: Members of the Board and the community in attendance discussed actions each had independently taken over the past few months. Board members expressed varied opinions regarding expectations and responsibilities of Director Tolle's liaison role during this time period. As a consensus could not be reached as to the expectations and responsibilities, Director Tolle resigned as "liaison with the public" on this matter, effectively eliminating the role.

Update re: Concerts in the Park: Members of the Board reported on their experiences at the June 22nd event. While only a few residents approached the Board "table", the Board will continue to attend the Concerts and include mingling among the attendees. To increase awareness, Director Roser motioned, Director LaClair seconded and all approved NTE \$500.00 for the purchase of nametags for Board members and a banner for use at the events and a replacement monument banner for meeting announcements.

Update re: Crosswalks in TrailMark: Director Russell provided an update from the HOA Safety Committee regarding improving crosswalk visibility. The City of Littleton provided guidance to trim the trees approaching the crosswalks and agreed to work with the TrailMark HOA on the possibility of electronic crosswalk signs. There has been discussion of the City of Littleton, HOA and TMMD possibly cost-sharing on an electronic crosswalk sign. The HOA Safety Committee is the lead on this effort. At this time, the Safety Committee has not yet made a decision on the matter nor made a formal request to TMMD.

Update re: Emergency Response in TrailMark: Director Tolle provided response times in TrailMark from West Metro Fire. There were two calls in May and four in June and times were in line with the exception of a longer than normal "turnout time" which Director Tolle discussed with the Fire Chief.

Update re: Prairie Dog Issue in TrailMark: The prairie dogs in

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TrailMark are entering from the Jeffco Open Space property. Over the years, many solutions have been discussed by Jeffco with no action thus far (some remedies don't work near residential property and some aren't visually appealing to nearby homes). No action by the TMMD at this time, but the Board and the HOA will continue to monitor the issue.

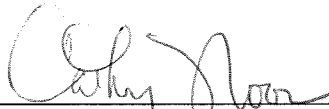
Update re: Fairview Cleanup: Director Tolle reported her family walked the north side of the lake to check the need for a clean-up day. Not much trash was observed and they collected what they found. She will walk the rest of the reservoir and report at a future meeting.

Public Comment: There was further discussion on the pool issue by members of the community.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Russell, seconded by Director LaClair, and passed unanimously, the meeting was adjourned at 10:19 p.m.

Respectfully submitted,



Secretary for the Meeting

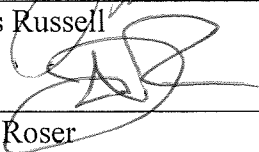
THESE MINUTES ARE APPROVED AS THE OFFICIAL July 15, 2014 MINUTES OF THE TRAILMARK METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Lori Tolle



James Russell



Todd Roser

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Curtis Fankhouser



Catherine H. LaClair

TRAILMARK METROPOLITAN DISTRICT

MEETING DATE: 7/15/2014

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

NAME	ADDRESS	TELEPHONE/EMAIL	ISSUE(S) TO BE ADDRESSED
BRIE ZELB	9875 S. 1415	626 0890 W5ZEEB@comcast	ADET SWAN POOL
Jim Vanthe Weget	9910 S Johnson ST		
Gabriel Williams			
Steven Stovall			