

TrailMark Tracks

May 2013



HOA Responds to Marijuana Growth
Trash Day
GARAGE SALE!!!

*Being a child at home alone in the summer
is a high-risk occupation. If you call your mother at
work thirteen times an hour, she can hurt you. ~Erma Bombeck*

Homeowners Association

trailmark.org

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Management Company

Colorado Management, Inc.
13900 E. Harvard Ave., Suite 330
Aurora, CO 80014

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Community Manager, Natasha Henricks

resident for numerous City of Littleton violations codes, as The City of Littleton does not allow any commercial grow operation within its limits. Colorado Management & Associates also cited the resident for covenant violations, notified the property manager of this rental property and the homeowner of the situation. Subsequent to being apprised of the activities in the house, the property manager initiated eviction proceedings against the renters and the operation has been moved from the community. This issue brings to TrailMark the new constitutional state rights of the passage of Amendment 64 in November of 2012 and its ramifications for HOAs in Colorado.

Amendment 64, which allows adults 21 and over to use and possess small amounts of marijuana also includes provisions that allow growing cannabis at home. One may question whether homeowners associations can put rules in place prohibiting such grow operations even though they are legal per Colorado law?

Below is the passage pertaining to home growing operations per Amendment 64:

POSSESSING, GROWING, PROCESSING, OR TRANSPORTING NO MORE THAN SIX MARIJUANA PLANTS, WITH THREE OR FEWER BEING MATURE, FLOWERING PLANTS, AND POSSESSION OF THE MARIJUANA PRODUCED BY THE PLANTS ON THE PREMISES WHERE THE PLANTS WERE GROWN, PROVIDED THAT THE GROWING TAKES PLACE IN AN ENCLOSED, LOCKED SPACE, IS NOT CONDUCTED OPENLY OR PUBLICLY, AND IS NOT MADE AVAILABLE FOR SALE.

This language is now enshrined in the state's constitution, but it may not prevent an HOA from establishing rules of its own, says Jerry Orten, an HOA attorney and spokesman for the Rocky Mountain chapter of the Community Associations Institute.

"It's not a given that HOAs are going to jump into this issue head over heels," Orten says. "Many of them may look at this and evaluate it and potentially do nothing, leaving all the regulatory authority to either state or local government. But some HOAs might jump into it."



An important message from the TrailMark Homeowners Association

Last month, the TrailMark HOA board was made aware of commercial marijuana grow operation in our community. The HOA board and our management group Colorado Management & Associates started an immediate investigation into the complaint. The City of Littleton code enforcement division inspected the house, determined that in fact there was a commercial grow operation within the residence. The City of Littleton cited the

Orten believes they have every right to do so.

“In my view, and probably in the view of most, HOAs have the authority,” he maintains. “The constitutional amendments, Amendment 64 and Amendment 20,” a 2000 measure that legalized medical marijuana in Colorado, “apply principally to government. It doesn’t apply to private rights, and essentially, HOAs are private communities.

“If they want to create a more restrictive regime, they can -- and that’s what some communities may want to do, because either the smell of growing cannabis or the smell of smoked cannabis may be offensive to others in the community.”

The Colorado Clean Indoor Air Act of 2006 “puts a number of limitations on where you can smoke tobacco,” Orten points out, “and also other types of smoke others might find offensive: pipe smoke, cigar smoke, other unique cooking odors.” Presumably, marijuana smoke would fall under this measure as well.

But could HOAs ban marijuana simply because those in charge have a moral objection to its legalization? That’s where things could get tricky.

“Most associations are concerned with the value of properties and the exterior appearance of properties,” Orten says. “They are not generally interested in what happens inside the unit unless it has an adverse effect on other owners, like health effects from secondhand smoke, or value effects, like odors that are offensive.”

With that in mind, Orten says, “I don’t think associations will be looking to restrict marijuana use just because they’re not in favor of it. If associations are interested in restrictions, it will probably be because of adverse effects on others in the community -- and that really begins to define the type of community that might be interested in it.

“Generally, that probably won’t include single-family communities where homes aren’t attached. It will probably be communities where homes are attached” -- like condominiums or duplexes -- “where there’s some aspect of odor or effects that might begin to bother other residents.”

Lining up strong evidence to support such restrictions could be important, since a lawsuit challenging a homeowners association’s marijuana ban is certainly possible -- and “HOAs are not interested in being sued,” Orten admits. “They wouldn’t want to be a test case, because that often means it would go up to an appellate court or even the Colorado Supreme Court. That would mean the possibility of three different courts ruling on it, and the parties involved might be in litigation for potentially four or five years. Associations would prefer to be viewed positively by the community, and the cost and expense of that might not put them in the most desirable position.”

The TrailMark HOA is in the process of having our legal team review the current covenants and restrictions to ensure we are within our legal rights to prevent this type of activity from occurring in our community. HOA Covenants section 3.2 prohibiting-home business that “create or result in any unreasonable, unwarranted, or unlawful use or interference with public rights, included, but not limited to or in any offensive or noxious activities, this is the section in our covenants that regulate how TrailMark would not allow this type of business in our community. The TrailMark HOA has no intention to regulate or restrict legal activities within one’s home.

We would like to thank the neighbors who brought this to the HOA’s attention. The HOA board will continue to work on your behalf to keep our community strong, safe and our property values high.

Alpine Waste & Recycling



Alpine Waste began pickup of TrailMark trash and recycling on every Tuesday starting May 7th. Alpine Waste will no longer pick up on Fridays. This is a permanent change..

Beginning July 1, 2013, under Colorado law (Senate Bill 12-133), residential/household and business electronics are banned from being disposed of in a landfill and must be recycled.

Items to be banned from landfills starting this summer include television sets, computers, video game consoles, VCRs, DVD players, printers, tablets and radios. Telephones, motor vehicle components and non-hazardous industrial or commercial devices still may be legally disposed of in Colorado landfills. Remember to protect your personal information when disposing of electronics such as computers. Hard drives should be physically destroyed before a computer is recycled, as waste facility staff is not responsible for protecting that information.

To learn more about collection events, recyclers and protecting your personal data, visit the Colorado Department of Public Health and Environment's e-waste website.

Design and Review

A REMINDER FROM THE DESIGN REVIEW COMMITTEE (DRC). All proposed improvements and/or changes to your home and property, including exterior painting, landscaping (front or back yards), plantings, retaining walls, sheds, greenhouses, hot tubs, roofs, driveways, fences, gates, lighting, decks, patio covers, gazebos, awnings, solar, play equipment, basketball backboards, and building additions must be submitted for approval to the Design Review Committee c/o Colorado Management & Associates. Please keep in mind that TrailMark has specific guidelines for the installation of solar devices. Contact Colorado Management & Associates for a copy of the solar guidelines.

<http://trailmark.org/DocumentsForms.html>

Register your Cell Phones for Reverse 911 Notification

TrailMark is an area that could be affected by fire or other emergencies throughout the years; especially this summer with the drought forecast and water restrictions. So, please read the information that is posted on the JeffCo Reverse 911 site and register your phones ASAP. The website address is http://jeffco.us/sheriff/sheriff_T62_R53.htm and open "Code Red Notifications" to sign up your cell phones. The e911 Target notification or "Reverse 911" is a tool that is used by public law enforcement to notify citizens of impending dangers such as fires, tornadoes, etc. Both published and non-published landlines are called automatically. However, neighbors are encouraged to register cell phone numbers on the site. It only takes a few minutes to do this and it will give you the information you need to notify family members of impending emergencies or catastrophic weather.



Do you like the Concerts, 4th of July events, Corn Maze, and other neighborhood events? VOLUNTEERS needed to help these events go on. Help a little or a lot. Please email Juli Hill, at juliwh@msn.com, if you would like to get involved.

Star Canyon Condos

Spring is here! The birds are chirping and the CROWS ARE BACK! Crows LOVE white trash bags and are happiest when they can peck through them and scatter the contents all over the street. Those of you who are off first thing in the morning don't see the mess they leave because some of your neighbors do a cleanup. Please be considerate of your neighbors and, if you use a trash bag, make it BLACK! Also, trash bags and barrels should be placed on the street, not on the grass as this interferes with the watering.

For the second year in a row, we've had a VERY dry year. Denver Water has issued some tough watering restrictions for this year and we will only be able to water TWO days a week. That means your grass is not going to be lush and green—expect some dry looking areas, especially on the hillsides. The landscapers have already aerated and fertilized the grassy areas so this recent wet weather should benefit us.

It appears we were a little premature with our gas grill alert. Reliable sources pointed us in the direction for a need to change to West Metro FPD. Further investigation and emails with both Littleton and West Metro Fire Marshalls indicate we are still under the Littleton Fire Code for gas grills. Currently you may use a standard 20lb tank; however, this may change in the future. If you want to stay with the smaller tank, please do. Charcoal and wood burning grills are forbidden. Additionally, the Littleton Fire Chief told us that he has written to Insurance Service Office (ISO) and requested a change in their rating of the TrailMark subdivision from a current 9 to a 3, as we are now within 5 miles of the nearest fire station. This change may favorably impact what some homeowners are paying for insurance.

Parking always seems to be an issue in our community. Overnight parking on W. Freiburg Dr. is for visitors only. Parking in common use driveway areas is not permitted. Driveway parking is allowed only in the immediate area in front of the garage, and is limited to one (1) vehicle. Additionally, some people have been parking in the tow-away zones. YOU WILL BE TOWED and it isn't cheap to reclaim your vehicle

HOA Board meetings are held the second Tuesday of the month, 6 times a year, 6-8PM and this year the meetings will be held in the home of Betty McGinnis (9796B). Board meetings are open and homeowners are welcome and encouraged to attend. There is a 10 minute time frame at the beginning of each meeting that is set aside as an "Open Forum." During this time a homeowner may bring up issues of concern, ask questions, etc. The most recent board meeting was March 12. The next meeting will be May 14.

A big THANKS to those who are so consistent in cleaning up after their pets; however, we are again having some issues with dog poop in TrailMark. Dog droppings are unsightly, smelly and unsanitary. Please, carry a bag and pick up after your dog. Let's keep Star Canyon Condos a part of the solution, not a part of the problem!



Handyman needed for fence repairs in the TrailMark community. Please contact Natasha Henricks at Colorado Management for more details, 303-468-3746, nhenricks@coloradomanagement.com

South Suburban Parks and Recreation

National Women's Health Day, Saturday, May 18, 10 am - 2 pm. FREE!

Come to Douglas H. Buck Recreation Center, 2004 West Powers Avenue, 303-797-8787 to sample fitness and meditation classes, pot a plant and take it home, get weight room orientations, visit health resource booths, watch for giveaways, and get chair massages. For more information, contact Ellen Martin at 303-730-4610 or EllenM@sspr.org. Visit www.sspr.org.

Yoga in the Park: Tuesday, May 29, 6:30-7:30 pm FREE!

Join RidgeGate and South Suburban Parks and Recreation in Belvedere Park 9500 Ridgeway Pkwy, Lone Tree. Bring your own yoga mat, or one will be provided for you. In case of heavy rain or lightning, class will be cancelled. No yoga experience is necessary. No need to register - just drop in! Visit www.sspr.org.



Summer Adventure Day Camp, 7am-6pm, June 3-August 16, Mon-Fri., Ages 6-13

Come to Family Sports Center, 6901 S Peoria St, Centennial and enjoy your summer break from school with activities such as, ice skating, sports in the Dome, mini golf, the eXerGame Zone, bumper cars, inflatables, field trips and more! Morning and afternoon snacks and lunch included in fee. Click [here](#) to register for a full week of camp. Or contact the Program Coordinator, Michelle Collette at (303) 754-0552 or michellec@sspr.org to register by the day. Visit www.sspr.org. **All paperwork must be completed prior to the start of camp.

Many fun camps & classes at Family Sports Center Dome 6959 S Peoria St Centennial, CO 80112

For all Sports Dome programs, please contact Aaron Franchi- aaronf@sspr.org or Christina Hartsel- christinah@sspr.org at 303-754-054. Register soon at www.sspr.org.

South Suburban Recreation Centers feature Local Artists in May

South Suburban Parks and Recreation's Goodson, Lone Tree, and Douglas H. Buck recreation centers are featuring temporary art exhibitions by local artists during the month of May.



Cathy Lester is an internationally collected artist who realistically captures dogs, horses, elephants and other animals. Her artwork will be displayed May 1-30, 2013 at Buck Recreation Center, 2004 West Powers Avenue, Littleton, 303-797-8787. Cathy's lifelong passion for animals shines through in the detail of her pencil drawings of horses. Spend some time viewing and enjoying each drawing of her equestrienne subjects to see these magnificent animals in a whole new way.

Donna Lefferdo is presenting an exhibit of an assortment of watercolor, acrylics and mixed media May 1-30, 2013 at Lone Tree Recreation Center at 10249 Ridgeway Circle, Lone Tree, 303-708-3500. Her painting style varies from realism to abstraction representing still life/floral, landscapes, architecture and abstracts. She uses vibrant colors and unusual textures to create dramatic effects. Come journey into the world of creative expression.



Sally Van der Kamp's exhibit called "A Touch of Glass" will be May 1-30, 2013 at Goodson Recreation Center, located at 6315 S. University Blvd., Centennial, 303-798-2476. Her stained glass strips are an exciting blend of color and texture using traditional stained glass techniques with fused glass and copper foiled embellishments designed as wall art. It's an exhibit too exotic and thrilling to miss.

South Suburban's Public Art Committee encourages Colorado artists to submit an application to temporarily display their artwork at various South Suburban recreation facilities. For a complete list of guidelines and an art exhibition application, please visit www.sspr.org or contact Vickie Willis at 303-483-7072.



JUNE 7-8

Please contact Sunny Puckett for
maps and info,
sunny@sunnysdenverhomes.com

Do your spring cleaning and make
some money!

4th of July Bike Parade

Hey kids !! Celebrate Independence Day and dress up your bikes! Think anything patriotic ! Following the parade there will be games and refreshments at Hogback Hill park.

Trailmark Summer Concert Series Hogback Hill Park - 5:30pm

June 23: Dan Navarro is back again by popular demand

July 21: Ellis Paul (he's written much of the music for Farrelly Brother movies, e.g. "The World Ain't Slowin' Down" from Me, Myself and Irene)

August 18: Runaway Express. They are a local party band; perfect to finish out the summer festivities.



TRAILMARK METRO DISTRICT

Update on West Metro Fire & Rescue providing emergency response to Trailmark: WMFR Deputy Chief Mark Krapf attended TMMD's March 19th meeting to provide information about WMFR. Additionally, Deputy Chief provided some explanation/details about Littleton's agreement with WMFR wherein WMFR both provides training facilities to Littleton Fire & Rescue and emergency response services to the Trailmark neighborhood. Deputy Chief Krapf addressed several questions raised by residents' at the meeting. Some of the highlights include: The fire station from which Trailmark will get its first responders is WMFR Station #14, located at Kipling & Chatfield. WMFR #14 is staffed with an Engine (fire truck), a Tower (fire truck with very tall ladder), and a District Chief vehicle. Both the Engine and the Tower are staffed with 4 people, 1 of which is a medic. There is no ambulance at WMFR #14. In a medical emergency, WMFR would respond with the Engine or Tower from #14 and the medic on board would provide medical intervention. In the event transport via ambulance is necessary, an ambulance from WMFR Station #13 (at C-470 & Ken Caryl) would be dispatched. As of the March 19th meeting, WMFR had only received 2 emergency calls into the Trailmark neighborhood. The total response times for those calls were 9 minutes 48 seconds and 10 minutes, 55 seconds.

Update on Trailmark's ISO rating and Homeowner's Insurance Premiums: The ISO has been notified of the agreement between Littleton and WMFR wherein WMFR provides emergency response services to the Trailmark neighborhood. According to City Officials, the ISO has indicated that Trailmark's ISO rating should change (improve) effective 7/1/2013. Trailmark residents are encouraged to follow-up with their homeowner's insurance agents after July 1st, as a change in the ISO rating should result in significantly lower premiums for some residents.

Fence Painting for Filing 3 and Star Canyon: The fencing that faces common areas / public open space in Filing 3 and Star Canyon will be painted this year by Ganter Painting. (For purposes of Trailmark common-area fence painting, fences are divided into 4 segments. Painting takes place annually, with each segment being painted every 4 years.)

Per a Maintenance Agreement with the HOA, the cost of the common area fence painting is shared between the TMMD and the HOA. Homeowners are responsible for maintaining the side of the fence that faces their property.

Ponds: Aquatics Associates, Inc. is retained for continued pond management of Trailmark's four ponds. Aquatics Associates' philosophy is to provide healthy and aesthetically pleasing ponds at Trailmark in the most cost-effective and biologically appropriate manner.

2013 Volunteer Clean-up moved to Saturday June 15th: Initially starting from a suggestion from a Trailmark student, the TMMD board has made Volunteer Clean-up of Fairview Reservoir a tradition! Join your neighbors at the park for Coffee in the Park while helping do your part to keep our neighborhood beautiful - - June 15th at 10:00 a.m..

Meet us! Coffee in the Park moved to June 15th: In an effort to provide residents with additional access to the board, the board hosts Coffee in the Park on 2-3 Saturdays during the summer months. These gatherings are a good additional opportunity for you to ask questions about the Metro District, meet board members, voice ideas and provide feedback. The next Coffee in the Park has been rescheduled for June 15th.

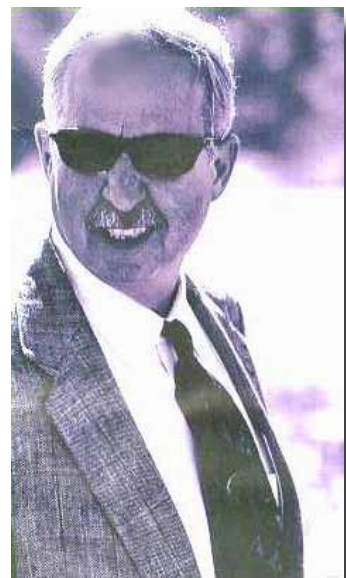
TMMD Board Meetings are Public: The Metro District regular meetings are held on the third Tuesday in the months of January, March, May, July, September, and on Thursday November 14, 2013 at 6:30 p.m., at the TrailMark Learning Center. The meetings are open to the public and your attendance is welcome!

If you have any questions regarding Trailmark Metro District business, you can contact our manager, Cathy Noon of Community Resource Services of Colorado at (303) 381-4960 or email us at board@tmmd.org

In Memory

Rockford (ROCKY) Williams, 54, died February 13, 2013 of cancer. Rocky worked for South Suburban Parks and Recreation for over 30 years and was the supervisor who helped develop the open space areas within TrailMark. After South Suburban took over our trail system, Rocky supervised the reconstruction of the beautiful trails we have today. A contribution has been made to Littleton

Boy Scout Troop 36 in memory of Rocky Williams from the TrailMark Community.



BRG General Contractors

of Trailmark

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Camps For Kids](http://www.sspr.org/CampsForKids)

Colorado Journey

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36-Hole Adventure

- Birthday Parties
- Group Outings Field Trips
- Fundraisers
- Group Rates

Spring Hours: M-Th 12-9 pm, F-Su 10 am-9 pm

Summer Hours: June 1-Aug 18, Mon-Sun, 10 am-10 pm

18 Hole Fee: Youth \$4.50/\$5.75, Adult: \$5.25/\$6.50

303-734-1083

5150 S. Windermere
(SE Corner of Belleview and Windermere)

**NEW Turf
Summer 2013!**

T-Ball Baseball Softball

Boys & Girls Leagues
June 3-July 25

T-BALL:

Kindergarten-boys and girls combined

MODIFIED T-BALL:

Grade 1-boys and girls combined

DIVISION I:

Grades 2 & 3-Baseball & Softball

DIVISION II:

Grades 4 & 5 Baseball & Softball

- Fundamentals and strategies
 - Equal playing time and sportsmanship strongly emphasized
 - Participants need glove and wear tennis shoes or rubber cleats
 - Volunteer coaches needed!
- Fee: \$80 / \$65 Resident Rate



For more
information visit

www.sspr.org
or call

303-798-7515

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in TrailMark**

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