

**BOARD OF DIRECTORS MEETING  
TRAILMARK HOMEOWNERS ASSOCIATION, INC.  
July 8, 2010**

**MINUTES**

**PRESENT**

Karen Millspaugh  
Wayne Lupton  
Lesa Rangel  
Michael McMahon  
Doug Filter

**ABSENT**

**I. CALL TO ORDER**

The meeting of the Board of Directors of the TrailMark Homeowners Association was called to order at 6:28 PM at the TrailMark Child Care Center, 9743 S. Carr Way in Littleton, Colorado. Also present were Dennis Shirilla, Davina Anderson, and Sue Santos representing Hammersmith Management, Inc. In addition there were several homeowners present for hearings and other HOA concerns.

**II. HEARINGS**

- A. 9244 W. Finland – Dying Lawn – Homeowner was present. She stated her case that she had complied with the HOA request to address her lawn issues. The lawn is infested with snow mold and needs to be replaced. The homeowner indicated she planned to seed the lawn in September at the recommendation of her landscaping contractor. The Board agreed to table any action on this issue until the spring of 2011, after the re-seeding has occurred in the fall and has a chance to begin growing in the Spring.  
The Homeowner also addressed with the Board that the hearing would be held at the Trailmark Day Care, but provided no physical address of the location. The Board instructed Management to correct this and to ensure the physical location address was provided on all hearing notices.
- B. 9975 W. Baden Drive – Shed - The homeowner was present to appeal a Violation regarding his shed. He had been informed that his shed was not in compliance with DRC rules and that it was in violation of Trailmark DRC guidelines. The homeowner presented his case in the form of an approval letter that he had received in 2008 indicating that the shed installation was approved. The DRC cited the owner for the siding being out of compliance with his home, however, it was presented that the siding did in fact match part of the siding on the home. The homeowner did admit to not contacting the DRC for inspection upon completion of the shed. The Board made a unanimous decision to drop the action and the appeal was granted. In addition, Board Member, Mike McMahon, recommended that the Board reexamine the definition of the word “style” as it relates to architectural applications, so as to avoid issues of this nature in the future.
- C. 9395 S. Hoyt Court – Improper Storage of Trash Cans -Homeowner was not present. A follow up inspection of the violation will be made the week of July 12, to see if the issue of trash cans stored next to the house is resolved.
- D. 9879 S. Field Way – Dead Spots in Lawn - Homeowner was not present. A follow up inspection of the violation will take place the week of July 12, to see if the violation has been addressed.
- E. 9602 W. Belfast Drive – The homeowner was present to discuss a letter that he had received regarding a shed on his property that was not in compliance with HOA requirements. The homeowner presented documentation verifying that the shed was on his property as early as 2007, and was installed long prior to his purchase of the

home. He asked that the violation be rescinded, and the Board granted his request based on the fact that the shed had been in place for a substantial time prior to his purchase.

- F. 9590 S. Flower Way – Homeowner was present to discuss the situation regarding his back yard, and to follow up on what he needed to cure his violation. It was decided that a follow up inspection would be made to his property the week of July 12 to clearly define what remained to be done to remedy the situation. The inspection will be made by Hammersmith.

There were no other hearings scheduled.

**III. HOMEOWNERS FORUM**

Homeowner Ron Chalkey was present and expressed his concerns that the sprinkler system was not cycling properly as he had seen the sprinklers running after 10am on several recent occasions. He was informed that the landscape crews had been working on the systems for the past couple of weeks and that the situation should be resolved and the system will be functioning according to guidelines very soon.

Homeowner Tim Strunk expressed his concerns that the minutes of the Board of Directors meetings were not detailed enough in content, errors still existed in the January 2010 minutes and the revised minutes posted on the website were not marked revised. Hammersmith Management will be conducting a review of prior minutes, and will begin distributing the minutes to the Board within 3 days of the Board meeting to ensure action is properly recorded.

One of the homeowners present inquired as to the recycling programs available for trash. He was instructed to visit the HOA website for further details and was also informed that the city of Littleton also had a recycling program available as well.

- IV. **WEBSITE PROPOSAL** – The Communications Committee presented their proposal for a new HOA website. The committee reviewed their recommendations for a revised website and presented the Board with the cost estimates and projected dates for completion. The projected rollout for the new website is tentatively scheduled for October 1, 2010. The hosting costs will be approximately \$172.47 for the first year.

**V. APPROVAL OF MINUTES**

- A. **May 13, 2010 Board Meeting Minutes** - Wayne Lupton moved to approve the May 13, 2010 Board Meeting minutes, and it was seconded by Lesa Rangel. The motion to approve the minutes as presented was passed unanimously.
- B. **June 8, 2010 Board Meeting Minute** - Doug Filter moved to approve the June 8, 2010 meeting minutes, and it was seconded by Wayne Lupton. Motion to approve the minutes as presented was passed unanimously.

**V. FINANCIAL REPORT - June 30, 2010**

**Balances**

Account	May	June	Change
<b>US Bank (Operating)</b>	\$71,342.97	\$95,393.16	\$24,050.19
<b>1st Bank (Reserve Accounts)</b>	\$523,071.37	\$523,400.04	\$328.67
<b>Total</b>	\$594,414.34	\$618,793.20	\$24,378.86

**Budget Variance**

- Total income year to date is \$162,949 versus a budget of \$163,940, which places us under budget by \$991, primarily due to less than anticipated social income of \$500; less

than anticipated legal fees collection income of \$1,576; and less than budgeted lien filing income of \$400, offset by a positive variance of \$1,145 in late fee income; a positive variance of \$250 in fine/violation income; and a positive variance of \$145 in newsletter income.

- Administrative costs year to date are significantly under budget by \$22,757. This is due to lower than budgeted income tax resulting in a \$4,900 positive variance; the audit for 2010 not being paid for yet this year for a \$2,460 positive variance; social committee expenses are under budget by \$1,457; common area expenses are also under budget by \$4,913 year to date; legal collection fees are under budget by \$1,051; newsletter expenses are under budget by \$2,272; and bad debt expense is under budget by \$1,897. YTD.
- There are no Building Maintenance costs year to date as this is money designated exclusively for holiday lighting.
- Grounds Maintenance costs year to date are under budget by \$1,712 mainly due to a large positive variance in June for trash removal of \$10,167. This is due to timing of invoices, as the June invoice was received with the July invoice. When these invoices are paid, there will be a substantial negative variance in this line item mainly due to sprinkler repairs being \$3,212 over budget YTD.
- Utilities costs year to date are under budget by \$5,587 due to water & sewer charges being under budget by \$5,601. This is due in part to the fact that we have had a wet spring and have had a few sprinkler repairs shutting down irrigation water periodically, resulting in less usage.
- There are no Reserve Transfers scheduled for 2010 per the budget.
- Total Expenses year to date are under budget by \$30,056, while NOI is over budget by \$29,065 YTD.

#### **Delinquencies**

Total delinquencies as of the end of the month are \$21,479.26, for a decrease of \$1,352.95 from last month which continues a down trend on past due accounts.

A motion was made by Karen Millspaugh to accept the financial report as presented and it was seconded by Lesa Rangel. The motion was carried and the Financial Report was accepted as presented.

#### **VI. MANAGEMENT REPORT**

The written management report was reviewed.

#### **VII. UNFINISHED BUSINESS**

- A. Agreement with TMMD/SSP&R/TrailMark HOA** – A motion was made by Doug Filter to approve the Second Amended Maintenance Agreement between the Trailmark HOA and the Trailmark Metropolitan District for signature. The motion was seconded by Lesa Rangel and carried unanimously. The document was signed and will be forwarded on to the TMMD for final signature.
- B. January 14, 2010 & November 12, 2009 Minutes Amendment** – Dennis presented to the Board the identified differences between the original draft of the minutes and the corrections. The corrected minutes will be marked as revised and reposted to the website. Management will also contact Tim Strunk to discuss his concerns with the minutes.
- C. Declaration Amendment Proposal** – The Board is still waiting on material from Mark Payne on the Declaration Amendment Proposal. Mark's response was due by June 30<sup>th</sup> and Hammersmith will follow up with legal counsel to find out the status of his response.

- D. **HOA Post Card** – The Board tabled further discussion on the post card designed to drive homeowners to sign up for the website pending a revised letter from legal counsel clarifying the Declarations Amendment Proposal.
- E. **Definition of a Commercial Vehicle** – The Board discussed the definition of a commercial vehicle. The Association's definition of a commercial vehicle is more detailed and is stricter than the Colorado State Statute. The Board made no decision, but will continue to review the Association's policy and requested Hammersmith provide example of other Association's commercial vehicle definitions.
- F. **Fence Repair Bids** – Fence repair bids have not yet been received, and Hammersmith indicated they would have the bids to the Board within three business days. The Board requested further review of an invoice for temporary fencing in the amount of \$154 and if this amount was included in the insurance claim. The Board would also like a follow up and clarification of the overall costs for the fence repairs already incurred and how they relate to the insurance proceeds that we have received to date.
- G. **Reserve Study Update** – Dennis advised the Board that he had been in contact with ARS and the Reserve Study would be complete by July 27<sup>th</sup>.
- H. **Ratification of the Clock Repair Contract** – A motion was made by Mike McMahon to ratify approval the contract for the replacement of the current irrigation clock system that recently failed, with the new WeatherTRAK system at a cost of \$5,399. The motion was seconded by Doug Filter, and the motion was carried unanimously. The funding for this item will be from the reserve account. The cost of this item will also be reduced due to the fact that the HOA will be entitled to a rebate from Denver Water for the installation of this system. Colorado Lifestyles and WeatherTRAK are processing the rebate paperwork for the HOA.

#### **VIII. NEW BUSINESS**

- A. **Denver Botanical Gardens** – The programs upcoming with the Denver Botanical Gardens were presented to the Board for the next few months. The plans include outdoor family oriented movies, the Corn Maize, and other Fall events were discussed.
- B. **Trailmark Social Event** – Sue Santos of Hammersmith Management Lifestyle Services was present to discuss possible social events for the community, including a possible fall event in September or early October. Sue will check with South Suburban for available dates. Sue will have a proposal for presentation at the August meeting.
- C. **Landscape Proposals** – A motion was made by Mike McMahon to accept 2 proposals from Colorado Lifestyles for landscape issues. The first proposal is for plant replacements along Trailmark Parkway in the amount of \$1,939.20. The second was for the repair of the drainage area at 9510 S. Everett in the amount of \$4,000. The motion was seconded by Lesa Rangel, and the motion was carried unanimously. The funding of \$1,939.20 for the plant replacements will come from the reserves; the funding for the \$4,000 in drainage repairs will come from the operating budget.
- D. **Star Canyon Waiver Request** – Mike McMahon made a motion to accept the request from Star Canyon to waive the requirement for approval from the Trailmark HOA for installation of satellite dishes and storm doors. Lesa Rangel seconded and the motion passed unanimously. This approval applies to all of Star Canyon, including the Condominiums.
- E. **Independent Contractor Agreement** – This item was tabled pending the outcome of research by Hammersmith Management into the inspection program at Trailmark. Hammersmith will respond to the Board's inquiry and concerns.
- F. **9536 S. Everett Way** – This item was briefly discussed and tabled, to be discussed at the August hearing meeting when the homeowner in question will be attending the meeting. Covenants regarding this issue will also be reviewed before the August meeting.
- G. **#97966F Late Fee Waiver Request** – A motion was made by Doug Filter to waive the late fees in the amount \$26.84 for this account. The payment was late

due to an address change. Lesa Rangel seconded and the motion was carried unanimously.

**H. #910525 Fine Waiver Request** – This homeowner requested that a fine in the amount of \$25 for a basketball hoop be removed from their account as they do not own a basketball hoop. Wayne Lupton motioned to waive the fine, and Doug Filter seconded. Motion was carried unanimously. Hammersmith will investigate as to who actually owns the hoop and proceed with a violation if necessary.

**I. The Good Neighbor Program** – A proposal from the Covenant Committee to reward homeowners who comply with all Association rules and have a clean payment record with the Association was approved by the Board. A motion was made by Doug Filter to approve the Good Neighbor Program as long as the financing for the awards remain within the budget of the Covenant Committee and do not include a refund of Assessments. Mike McMahon seconded the motion. Motion carried unanimously.

**IX. CORRESPONDENCE & REPORTS**

The Board reviewed various correspondences received, as well as the work order, architectural, violation reports and signed the Association checks.

**X. ADJOURNMENT**

There being no further business to discuss the meeting was adjourned at 10:20 PM.