

# RECORD OF PROCEEDINGS

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**MINUTES OF A REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF  
THE TRAILMARK METROPOLITAN DISTRICT  
HELD  
January 16, 2018**

A regular meeting of the Board of Directors of the TrailMark Metropolitan District (referred to hereafter as "Board") was held on Tuesday, January 16, 2018 at 6:30 p.m., at Trailmark Learning Center, 9743 South Carr Way, Littleton CO. This meeting was open to the public.

**ATTENDANCE**

The special 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:

Curtis Fankhouser  
Todd Roser  
Wayne Lupton

Absent was Director LaClair whose Absence was excused.

Also present were:

Cathy Noon; Community Resource Services  
Tami Schneck, Aquatics Associates  
Members of the Community

**CALL TO ORDER**

Director Fankhouser 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 Roser and a second by Director Lupton, the Board voted unanimously to approve the agenda.

Minutes: The minutes of the November 9, 2017 Special Board meeting were presented to the Board. Upon a motion by Director Fankhouser and a second by Director Roser, the Board voted unanimously to approve said minutes as amended.

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## PUBLIC COMMENT

Mr. and Mrs. Rick Handley asked if the Fairview #2 aeration could be turned off to help the pond freeze over to reduce the goose and duck population during the winter. Ms. Schneck will check the feasibility since the system is solar versus electric powered.

Mr. Handley also reported the HOA has electrical power problems at the north side as well as the west island at the main TrailMark entrance. Director Fankhouser provided an update on the District's power line issue for aeration power but had only spoken with representatives from the City of Littleton regarding the District issue. Ms. Noon will work with the HOA management, and Director Fankhouser will work with Mr. Handley to have Littleton look at comprehensive solutions to electricity issues that resulted from Fire Station 19 construction.

## FINANCIAL ITEMS

Review and Approve Ratification and Payment of Claims: After review, upon a motion by Director Lupton and a second by Director Roser, the Board voted unanimously to ratify the December 14, 2017 claims totaling \$6,229.37 and approve the current January 16, 2018 claims represented by check number 4068 - 4072 totaling \$32,630.41 as presented.

Review Cash Position: Ms. Noon reviewed the cash position with the Board for the period ending December 31, 2017 and adjusted as of January 12, 2018. After review, upon a motion by Director Lupton and a second by Director Fankhouser the Board accepted the cash position as presented.

Financial Statements: Ms. Noon reviewed the financial statements dated December 31, 2017. After review, upon a motion by Director Lupton and a second by Director Fankhouser, the Board accepted the financial statements as amended.

## MAINTENANCE AND OPERATIONAL ITEMS

2017 Pond Maintenance Review and Planning for 2018: Ms. Schneck reviewed the maintenance and condition of the District's water features. For Fairview #1 and #2 plankton has been the major issue the past few seasons. Water quality testing reports show phosphorus nutrient levels are high which causes plankton bloom. Phosphorus and nitrogen levels are

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high all along the front range and leach from sediments in ponds. Pond weed didn't need treatment for the first time since 2011 which indicates the grass carp introduced to the ponds are controlling the pond weed. Pond G continues to operate well with algae surface mats the biggest issue and any necessary treatments are carefully selected due to the proximity of Pond G to the Denver Botanic Gardens at Chatfield. Pond A needed no treatments in 2017 and the cattail levels are fine.

Consideration of Aquatics Associates Proposal for 2018 – Tami Schneck: Following review of the 2018 proposal and appreciation of the care and work provided by Ms. Schneck and Aquatics Associates, Director Lupton motioned to approve the 2018 Aquatics Associates contract for pond maintenance. Upon a second by Director Fankhouser and unanimous vote, the motioned carried.

## MANAGEMENT ITEMS

Consideration of Annual Admin Resolution: Ms. Noon reviewed the 2018 Annual Administrative Resolution affirming the operations of the District, official posting locations, direction of 2018 Election operations and designation of Board Officers: President, Director Curtis Fankhouser; Vice President, Todd Roser; Secretary, Wayne Lupton and Treasurer, Cathy LaClair. Director Roser moved that the Board approve the Annual Administrative Resolution. Upon a second by Director Fankhouser, a vote was taken and the motion carried unanimously.

## BOARD MEMBER ITEMS

Update Re: Communications: Director Roser reviewed the draft 2018 Annual Newsletter with the Board. Following discussion, the Board instructed Ms. Noon to have the newsletter mailed to all District residents as soon as possible.

Update Re: Fence Sub-Committee: Director Fankhouser stated that the joint District/HOA Fence Subcommittee will be setting a meeting in the near future.

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## LEGAL ITEMS

Discussion regarding Attorney Services for the District: Ms. Noon reviewed the proposals by attorney firms White Bear Ankele and Spencer Fane to provide the District with legal services. Following discussion, Director Roser motioned and Director Lupton seconded a motion to move legal services to Spencer Fane law firm in order to retain George Rowley as the District's attorney as Mr. Rowley moved from White Bear Ankele to Spencer Fane. Upon unanimous vote, the motion carried. Director Fankhouser will execute the necessary documents on behalf of the District.

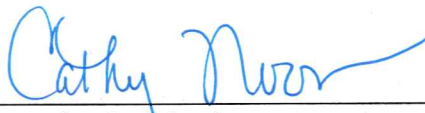
Discussion on Board Vacancy and Presentation of 2018 election Calendar: Ms. Noon reviewed the statutory requirements for a Board vacancy and presented the 2018 Election calendar. Given any appointee to the vacant seat would have to run for a 2 year term in the May 8, 2018 election, the Board decided not appoint a replacement for the vacant board position but rather have a vacancy on the Board until the election.

Resolution Calling an Election for May, 2018: Upon review and discussion, Director Roser motioned to approve a resolution setting the Regular Election of the Board of Directors be held on May 8, 2018. Following a second by Director Fankhouser and unanimous vote, the motioned carried. There will be (3) 4-year terms and (1) 2-year term on the ballot.

## ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Roser, seconded by Director Lupton, and passed unanimously, the meeting was adjourned at 8:21 p.m.

Respectfully submitted,



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Secretary for the Meeting

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THESE MINUTES ARE APPROVED AS THE OFFICIAL January 16,  
2018 MINUTES OF THE TRAILMARK METROPOLITAN DISTRICT  
BY THE BOARD OF DIRECTORS SIGNING BELOW:

  
\_\_\_\_\_  
Curtis Fankhouser

  
\_\_\_\_\_  
Todd Roser

  
\_\_\_\_\_  
Catherine H. LaClair

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Wayne Lupton