

**HEATHER GARDENS METROPOLITAN DISTRICT
REGULAR MEETING
Thursday, June 17, 2021**

The regular meeting of the Board of Directors of the Heather Gardens Metropolitan District was held via Zoom/Telephone in the office of the District, 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Thursday, June 17, 2021 at 1:00 P.M.

CALL TO ORDER: President Funk called the meeting to order at approximately 1:01 P.M. on Thursday, June 17, 2021. A quorum was present.

BOARD MEMBERS PRESENT: President David Funk, Vice President Michael George, Treasurer and Secretary William Archambault, and Directors Eloise Laubach and Maria Mines

BOARD MEMBERS ABSENT: None

STAFF PRESENT: General Manager Jon Rea and Controller Jerry Counts

GUESTS PRESENT: Jennifer Ivey, Icenogle Seaver Pogue, P.C., three members of the Heather Gardens Association Board, Lynn Donaldson with Heather 'n Yon, and approximately 16 members of the public were present.

APPROVAL OF MINUTES: Motion made by Vice President George and seconded by Director Laubach and passed unanimously to approve the minutes of the May 20, 2021 Regular Meeting as written.

REPORTS OF DIRECTORS, COMMITTEES, AND PROFESSIONAL CONSULTANTS:

President Report: President Funk commented the Joint Long Range Planning Committee has been created. The committee will be co-chair by Allen Lindeman (HGA Board of Director) and himself. The first meeting will be scheduled for next month and an announcement with the date and time will be communicated.

General Manager's Report: The Board received a copy of the General Manager Statement of Work. General Manager Rea reported the HVAC for the restaurant is scheduled to be completed by tomorrow in time for the relaunch of the restaurant kick-off beginning in July. There were no questions or comments on the SOW report.

Clubhouse/Restaurant Committee: No Meeting. President Funk commented that the committee will be reformed, and Director Mines will be the chair of the committee. The committee meetings are scheduled to restart in July.

Foundation Committee: No Meeting. President Funk commented Director Laubach, Treasurer and Secretary Archambault, and Controller Counts met last month to go over

the outstanding issues on the Foundation financials. The meeting was a positive outcome in smoothly out the process and identifying contributions for better reporting.

Golf Committee: The Board received a copy of the Golf Report. Vice President George reported everything was going well. The Golf Superintendent Benko received praise from the committee on how well the golf course looks. There were no questions or comments.

Property Policy Committee: President Funk reported the RV Lot's new design layout is complete. Contracts Manager Don O'Gorman will be working with the contractors to get the lot paved and restriped with the new layout. The idea behind the new layout is a security enhancement by bringing the RVs away from the fence line where most of the problems occurred. The enhancement can be discussed further when the Property Policy Procedure Memorandum is discussed. There were no questions or comments.

Treasurer's Report: The Board received a copy of the Treasurer's Report. Treasurer and Secretary Archambault reported at the Budget and Finance meeting that Controller Counts mentioned that the auditors will be presenting a draft version of the HGMD 2020 Audit Report in the July Budget and Finance meeting for review. Treasurer and Secretary Archambault encouraged all the Directors to attend that meeting. The audit report will also need to be approved by the Board and filed by July 31 with the State. The Insurance Subcommittee met after the Budget and Finance meeting dealing primarily with the HGA insurance renewal. The insurance quote will not be available until the next couple of months. The insurance industry is expecting to see an increase in property insurance of about 20%. However, the brokers are anticipating that HGMD may see property insurance increase between 10-15%. There will be some other increases in the insurance especially on cyber insurance with the recent attacks that have been happening to companies. Treasurer and Secretary Archambault asked if there were any questions on the Treasurer's Report. There were no questions.

President Funk commented that Treasurer and Secretary Archambault informed the brokers that this year going forward the District will facilitate their insurance package through the Colorado Special District Property and Liability Pool directly.

Monthly Operating Analysis (MOA): The Board received a copy of the June 2021 MOAs. Treasurer and Secretary Archambault commented on the Summary of Investments and noted that there is a \$250,000 CD maturing on July 30. At the July Board meeting, the Board will need to instruct Controller Counts on whether to reinvest the funds and find out the market interest rate. There were no questions or comments.

UNFINISHED BUSINESS: None.

NEW BUSINESS:



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- a.) **Motion to Consider Approval of Resolution Designating an Official Custodian for the Colorado Open Records Act:** Motion made by President Funk and seconded by Treasurer and Secretary Archambault and passed unanimously.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors approve the Resolution Designating an Official Custodian for the Colorado Open Records Act.

Explanation: HGMD has never adopted a resolution designating an official custodian for purposes of the Colorado Open Records Act. There is no requirement to do so, and this District has not historically had many open records requests. However, without having this in place if there was an open records request the District would not be able to recuperate a portion of its costs through a research and retrieval fee and have any say over other nuances of how the request was handled.

After the adoption of the Resolution, the Official Custodian stated that he is hereby officially adopting the Rules Related to Requests for Inspection of Public Records Pursuant to the Colorado Open Records Act.

- b.) **Motion to Approve the 2022 Budget Development Schedule:** Motion made by Treasurer and Secretary Archambault and seconded by Vice President George and passed unanimously.

Text of Motion: Based upon a recommendation of the Budget and Finance Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve the 2022 Budget Development Schedule.

Explanation: To assist Management, a 2022 Budget Development Schedule has been prepared. The schedule allows for needed deadlines to be met.

- c.) **Motion to Consider Accepting the Revisions to the Heather Gardens Property Policy Procedure Memorandum and the RV Lot Agreement:** Motion made by President Funk and seconded by Director Laubach passed unanimously as amended.

Text of Motion: Based on the recommendations of the Property Policy Committee, I move that the Heather Gardens Metropolitan District Board of Directors accept the Heather Gardens Property Policy Procedure Memorandum and the RV Lot Agreement for review and comment and that the following revisions be incorporated therein:

- Page 5 section F, # 4 - add at the end of the statement "at the cost of the Lessee."



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- Page 18, section 19, letter c – add “Board of Directors” to the paragraph.

Note: The District procedures memorandums are posted for a month for comment and the following month will be considered at the next meeting for approval by the Board.

OPEN FORUM:

A resident asked when the restaurant will be open for happy hour and when will it stay open past 6:00 P.M. General Manager Rea commented once the HVAC is completely installed the restaurant will be opened at 100% capacity and hours will be extended to 8:00 P.M. at the beginning of July.

HGA Board Director Lindeman commented he has scheduled the Joint Long Range Planning Committee to meet on July 21 at 9:00 A.M. in the Board room and via Zoom. However, the sound system in the Board room will need to be fixed before the meeting in order for the audience via Zoom to be able to hear. President Funk commented that he and General Manager Rea are investigating devices and hope to have a better sound system in July. This is one of the reasons the District has not met in the Board room.

Vice President George asked if the microphones in the Board room will be fixed. President Funk will be looking into this as well.

Vice President George asked if the membership of the Joint Long Planning Committee is complete. President Funk commented not yet and will be before the meeting.

President Funk commented that there are certain months in the year that the District meetings fall before the Budget and Finance Committee which makes it difficult to discuss financials when they have not been reviewed by the Budget and Finance Committee. This happened in April and also will happen in July and September. A decision was made to adjust the July meeting by canceling the regular July 15 meeting and holding a special meeting on July 22.

A resident commented that this was a very good meeting.

ADJOURNMENT: Upon motion by Treasurer and Secretary Archambault, seconded by Director Laubach and passed unanimously, the meeting adjourned at 1:46 P.M.



William Archambault, Treasurer and Secretary